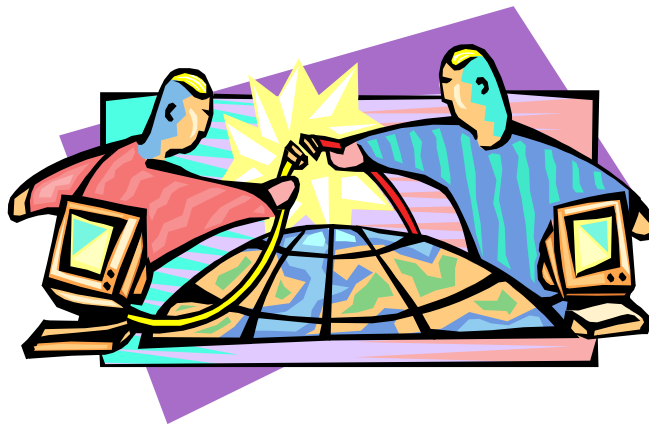


# ELECTRONIC CASE FILING CM/ECF



## User's Manual

Middle District of North Carolina  
(April, 2014)

---

# Table of Contents

<b>1. Getting Started.....</b>	<b>1</b>
Introduction.....	1
Help Desk.....	1
Conventions used in this Manual: .....	1
ECF System Capabilities.....	1
<b>2. Requirements .....</b>	<b>2</b>
Hardware and Software Requirements .....	2
<b>3. Your CM/ECF Account .....</b>	<b>2</b>
PACER Registration .....	2
Registering for Access to ECF .....	2
Your Account.....	3
Utilities Feature.....	3
Maintain Your Account.....	4
Viewing Transaction Log.....	7
Miscellaneous.....	8
Logout .....	8
<b>4. Mechanics of Electronic Filing .....</b>	<b>8</b>
User Interactions .....	8
Setting Up the Acrobat PDF Reader .....	8
Portable Document Format (PDF).....	9
How to View a PDF File .....	9
How to Convert Documents to PDF Format .....	9
Documents Filed In Error.....	10
Errors Found During Quality Control Process .....	11
User's Manual .....	11
<b>5. A Step-By-Step Guide.....</b>	<b>11</b>
How to Access the System .....	12
Logging In.....	12
Selecting ECF Features .....	14
General Rules and Manipulations .....	14
Manipulating the screens.....	14
Correcting a mistake: .....	15
Signatures; Affidavits of Service.....	15
<b>6. Civil Case Opening .....</b>	<b>16</b>
<b>7. Civil Events Feature - Filing Documents for Civil Cases .....</b>	<b>25</b>
Select the type of document to file. ....	26
Enter the case number in which the document is to be filed.....	28
Designate the party(s) filing the document.....	29
Add/Create New Party. ....	29
Modifying Party Roles .....	32
Specify the PDF file name and location for the document to be filed. ....	33
Adding attachments to documents being filed.....	37
When attachments and exhibits are in paper format. ....	37
Linking Documents (Refer to existing event). ....	38
Modify docket text. ....	39
Submit the pleading.....	40
Notice of Electronic Filing.....	41
E-Mail Notification of Documents That Were Filed .....	43
<b>8. Criminal Events Feature - Filing Documents for Criminal Cases.....</b>	<b>43</b>
Select the type of document to file. ....	44
Enter the case number in which the document is to be filed.....	44
Designate the defendant(s) that the filing relates to. ....	45
Designate the party(s) filing the document.....	45
Specify the PDF file name and location for the document to be filed. ....	47
Adding attachments to documents being filed.....	52
When attachments and exhibits are in paper format.....	53
Modify docket text. ....	53

Submit the pleading.....	54
Notice of Electronic Filing.....	55
E-Mail Notification of Documents That Were Filed .....	57
<b>9. Obtaining Information from CM/ECF .....</b>	<b>57</b>
Query Feature.....	57
Attorney .....	60
Case Summary .....	60
Deadlines/Hearings .....	61
Docket Report .....	63
History/Documents .....	64
Other Queries .....	65
Reports Feature .....	65
Docket Sheet .....	66
Civil Cases Report.....	67
<b>10. Special Procedures.....</b>	<b>68</b>
Removals.....	68
Return of Service.....	69
Answers.....	70
Cross-claims, Counterclaims, and Third Party Complaints .....	77
Disclosure of Corporate Interest.....	77
Motions .....	77
Motion for Leave to Amend .....	78
Exhibits .....	78
Proposed Orders .....	78
Responses and Replies .....	78
Certificate of Service.....	79
Appeals .....	79
Filing Documents Under Seal .....	85
Filing a Motion to Seal Document-Generally .....	85
Filing a Motion to Seal Document- Another Party has a Confidential Interest and the Parties Have Not Been Able to Confer.....	88
Ex Parte Matters.....	91
Under Motions: Available Events: Select the Ex Parte/SEALED Motion Private Entry Document. ....	92
Registration of Foreign Judgment .....	93
Certified, Notarized and Documents Authenticated by Other Means.....	93
Orders.....	93
Troubleshooting .....	94
<b>Help Desk .....</b>	<b>95</b>

# 1. Getting Started

## Introduction

The United States District Court for the Middle District of North Carolina permits attorneys to file documents with the Court from their own offices over the internet. Local Rule 5.3 authorizes electronic filing in conjunction with the Federal Rules of Civil and Criminal Procedure. This User's Manual along with the Electronic Case Filing Administrative Policies and Procedures Manual provides instructions on how to file documents, view documents, and retrieve docket sheets for cases filed in this court.

This manual provides instructions on how to use the Electronic Filing System to file documents with the court, or to view and retrieve docket sheets and documents for all cases assigned to this system. Users should have a working knowledge of Internet browsers and Adobe Acrobat software.

## Help Desk

Contact the Court's Help Desk between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, if you need assistance using ECF.

**Toll Free Help Desk – Greensboro                      1-800-659-2212**

## Conventions used in this Manual:

- Data to be entered by the user is shown enclosed in angle brackets: **<data to be entered>**.
- Command buttons are represented in this manual in **[bracketed boldface type]**.
- Hyperlinks are represented in **underlined boldface type**.

## ECF System Capabilities

The electronic filing system allows registered participants with Internet accounts and browser software to perform the following functions:

- View or download the most recent version of the User's Manual
- Self-train on a web-based ECF Tutorial
- Practice entering pleadings into ECF using a "training" database that is similar to the official live ECF database

- 
- Electronically file pleadings and documents in actual (“live”) cases
  - View official docket sheets and documents associated with cases
  - View various reports for cases that were filed electronically

## **2. Requirements**

### **Hardware and Software Requirements**

The hardware and software needed to electronically file, view and retrieve case documents are the following:

A personal computer running a standard platform such as Windows® or Macintosh®.

Internet access and a Javascript enabled web browser.

Software to convert documents from a word processor format to portable document format (PDF). Adobe Acrobat PDF Writer®, as well as certain word processing programs can perform this function. For viewing documents not authoring them, only Adobe Acrobat Reader® is needed.

A scanner to convert documents that are not in your word processing system.

## **3. Your CM/ECF Account**

### **PACER Registration**

ECF users must have a PACER account with the Court in order to use the Query and Report features of the ECF system. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may call the PACER Service Center at (800) 676-6856 or (210) 301-6440 for information or to register for an account. Also, you may register for PACER online at <http://pacer.psc.uscourts.gov>.

### **Registering for Access to ECF**

Participants will need to register with the courts to receive a login and password for the CM/ECF system. Registration forms can be obtained on our web site at:

<http://www.ncmd.uscourts.gov/sites/default/files/forms/attyform.pdf>

---

Completed registration forms should be mailed to:

John S. Brubaker, Clerk  
United States District Court  
Middle District of North Carolina  
Attn: ECF Attorney Registration  
Room 401  
324 W. Market Street  
Greensboro, North Carolina 27401

To receive a log-in and password for the Middle District of North Carolina CM/ECF system, participants must:

- 1) Be permitted to practice in the Middle District of North Carolina.
- 2) Take an attorney training class on CM/ECF or be an electronic filer in another Court.
- 3) Register as a user.

Once an account has been established, to ensure that the Clerk's Office has correctly entered a registering attorney's Internet e-mail address into the System, the Clerk's Office will send the attorney an Internet e-mail message after assigning the attorney a password.

Registered users can visit a training version of the system on the Internet at <http://ecf-train.ncmd.uscourts.gov> to practice ECF activities. We strongly recommend that registered users practice in the "training" ECF database before filing documents in the "live" ECF database.

## Your Account

This section of the **Utilities** feature provides you the capability to maintain certain aspects of your ECF account with the Court and to view a log of all your transactions within ECF.

## Utilities Feature

The **Utilities** feature provides the means for registered users to maintain their account in ECF and to view all of their ECF transactions.

---

## Maintain Your Account

Click on the **Maintain Your Account** hyperlink to open the **Maintain User Account** information screen.

Figure 3.1

The screenshot shows the ECF Utilities page. The top navigation bar includes links for Civil, Criminal, Query, Reports, and Utilities. The Utilities section is active, displaying three columns of links. The first column, 'Your Account', contains links for 'Maintain Your Account', 'View Your Transaction Log', 'Change Client Code', 'Change Your PACER Login', 'Review Billing History', 'Show PACER Account', and 'Remove Default PACER Account'. The second column, 'Miscellaneous', contains links for 'Legal Research ...', 'Mailings...', 'Internet Payment History', and 'Verify a Document'. The third column, 'Version 2.5 Case Opening Dispatches', contains a link for 'Open a Civil Case'.

Figure 3.2 displays all of the registration information that is contained within the ECF database for your account with the Court. This includes Bar Identification and Bar status.

Figure 3.2

The screenshot shows the 'Maintain User Account' form. The form is divided into several sections. The top section contains fields for Last name (SMITH), First name (JOHN), Middle name, Generation, Gender, and ATY Type. The middle section contains fields for Title, Bar number, Type aty, Prisoner id, Office (SMITH & SMITH), Unit, Address 1 (123 FOURTH ST.), Address 2, Address 3, City (GREENSBORO), State (NC), Zip (27401), Country, County, Phone (000-000-0000), Fax, Initials, DOB, and End date. The bottom section contains two buttons: 'Email information...' and 'More user information...'.

Clicking on the [E-mail information] button opens the following screen.

Figure 3.3

ECF Civil Criminal Query Reports Utilities Search Logout

Email Information for JOHN SMITH

**Registered e-mail addresses**

Primary e-mail address:  
[john.smith@smithandsmith.com](mailto:john.smith@smithandsmith.com)

Secondary e-mail addresses:  
[add new e-mail address](#)

[Return to Person Information Screen](#)

[Clear](#)

**Configuration options**

Should this e-mail address receive notices? ☒ Yes ☐ No

How should notices be sent to this e-mail address? ☒ Per Filing ☐ Summary Report

In what format should notices be sent to this e-mail address? ☒ HTML ☐ Text

Should this e-mail address receive general announcement notices from this court? ☒ Yes ☐ No

[Show all cases for this e-mail address](#) (Copy case lists from here)

**Case-specific options**

Add additional cases for noticing

These cases will send notice per filing (default method)

1:22-cv-00003-FWD-WWD FALCONE v. JAMES - Representing ROBERT JAMES  
1:22-cv-00016-FWD-WWD FALCONE v. JAMES - Representing MITCHELL FALCONE

- ECF will e-mail to parties their **Notices of Electronic Filing** based upon the information entered in this screen. Perform the following steps to enter additional e-mail addresses for individuals that you wish ECF to notify regarding new case pleadings and documents.
- From the screen depicted in Figure 3.4, to add additional e-mail addresses to your account, click on “**add new e-mail address**” and type in the e-mail address under “**Configuration options**”.

Figure 3.4

ECF Civil Criminal Query Reports Utilities Search Logout

Email Information for JOHN SMITH

**Registered e-mail addresses**

Primary e-mail address:  
[john.smith@smithandsmith.com](mailto:john.smith@smithandsmith.com)

Secondary e-mail addresses:  
[susie.smith@smithandsmith.com](mailto:susie.smith@smithandsmith.com)  
[add new e-mail address](#)

[Return to Person Information Screen](#)

[Clear](#)

**Configuration options**

**Case-specific options**

Add additional cases for noticing

These cases will send notice per filing (default method)

1:22-cv-00003-FWD-WWD FALCONE v. JAMES - Representing ROBERT JAMES  
1:22-cv-00016-FWD-WWD FALCONE v. JAMES - Representing MITCHELL FALCONE

- Enter the e-mail addresses of those individuals you wish to notify concerning ECF activity. This data entry field has a capacity of 250 characters for approximately ten E-mail addresses.



Figure 3.5

**ECF** Civil Criminal Query Reports Utilities Search Logout

Email Information for JOHN SMITH

**Registered e-mail addresses**

Primary e-mail address:  
[john.smith@smithandsmith.com](#)

Secondary e-mail addresses:  
[susie.smith@smithandsmith.com](#)  
[add new e-mail address](#)

[Return to Person Information Screen](#)

[Clear](#)

**Configuration options**

Should this e-mail address receive notices? ☒ Yes ☐ No

How should notices be sent to this e-mail address? ☒ Per Filing ☐ Summary Report

In what format should notices be sent to this e-mail address? ☒ HTML ☐ Text

Should this e-mail address receive general announcement notices from this court? ☒ Yes ☐ No

Should this e-mail address receive notice for all cases in which this individual is a participant? ☒ Yes ☐ No

[Show all cases for this e-mail address](#) (Copy case lists from here)

**Case-specific options**

Add additional cases for noticing

These cases will send notice per filing (default method)

1:22-cv-00003-FWB-WWD FALCONE v. JAMES - Representing ROBERT JAMES  
 1:22-cv-00016-FWB-WWD FALCONE v. JAMES - Representing MITCHELL FALCONE

- Stipulate the format of the ECF notices by selecting your choice from the bottom of the screen.
- If you wish to enter completely new information about your account, use the **[Clear]** button to clear the fields on this screen.
- After updating your account information, click on the **[Return to Person Information screen]** button to return to your **Maintain User Account** screen (Figure 3.2).
- To edit or view login information about your account, select the button labeled **More User Information**, from the **Maintain User Account** screen. ECF opens the screen depicted in Figure 3.6.

Figure 3.6

More User Information for attorney8

Login  Last login 08-30-2011 09:09

Password  Current login 08-30-2011 09:09

Create date 02/04/2005

Update date 02/04/2005

Registered Y

Internet Credit Card Y

Default Printer

Additional Printers

Groups Attorney

[Return to Account screen](#) [Clear](#)

This screen displays user login information and provides the means to change your ECF

password. Notice that ECF displays a string of asterisks in the **Password** field. To change your ECF password, place your cursor in the **Password** field and delete the asterisks. Enter your new password. ECF displays the actual characters of your new password as you type. When you have completed your interface with ECF from this screen, click **[Return to Account screen]** to reopen the **Maintain User Account** screen. When you are satisfied that all of your account information is accurate and up-to-date, click **[Submit]** at the bottom of the **Maintain User Account** screen to submit your changes to ECF.

ECF will notify you onscreen that your updates were accepted. If you changed passwords, you may begin using the new password during your next ECF session.

## Viewing Transaction Log

From the **Utilities** screen, click **[View your Transaction Log]**. ECF opens a screen with two fields for entering the Date Selection Criteria for a Transaction Log Report. Enter the date range for your report and click on the **[Submit]** button. ECF displays a report of all your transactions in ECF within the date range you specified for Date Selection Criteria. See Figure 3.7 for a sample transaction log report.

**Figure 3.7**

ECF

Civil

Criminal

Query

Reports

Utilities

Search

Logout

Transaction Log

Report Period: 01/01/1996 - 09/06/2011

Id	Date	Case Number	Text
128068	04/20/2005 15:58:45	1-22-cv-3	MOTION for Extension of Time To File Motion To Respond to Discovery until June 13, 2005 by ROBERT JAMES. Responses due by 5/13/2005 (attorney6, )
129247	05/04/2005 08:40:14	1-22-cv-3	ANSWER to Complaint by ROBERT JAMES.(attorney6, )
140390	08/10/2006 12:07:54	1-06-cv-505	MOTION for Extension of Time to File Answer by CREE, INC.. Responses due by 9/2/2006 (attorney6, )
141436	05/09/2007 11:16:47	1-22-cv-16	MOTION for Extension of Time To File Motion until June 15 by MITCHELL FALCONE. Responses due by 6/1/2007 (attorney6, )
142096	10/18/2007 11:32:55	07-28	Opened New CV Case 07-28
143680	08/25/2009 15:35:08	1-22-cv-32	<I>Amended Reply</I> BRIEF <I>on Defendant Trudy Wade's Motion to Dismiss</I>.(attorney6, )

Total Number of Transactions: 6

---

permission, change your password immediately, and then telephone the Court's Help Desk at 1-800-659-2212 as soon as possible.

## Miscellaneous

ECF provides three miscellaneous functions within the Utilities feature of the system.

- Legal Research
- Mailings
- Internet Payment History
- Verify a Document

When you click on the **Legal Research** hyperlink from the **Miscellaneous** screen, ECF opens a new screen that contains hyperlinks to a Law Dictionary, Lexis via the Internet, a Medical Dictionary, and Westlaw via the Internet. Select the **Verify a Document** hyperlink to open a query screen and enter data in the screen fields to locate a particular document attached to a specific case number. Select **Internet Payment History** to run a report showing your history for a specified date range. There is also a **Mailings** hyperlink that opens a new screen for making or requesting mailings from ECF.

## Logout

After you have completed all of your transactions for a particular session in ECF, you should exit from the system.



## 4. Mechanics of Electronic Filing

### User Interactions

There are three ways a user interacts with the system.

1. Entering information in data fields
2. Mouse-clicking on hyperlinks
3. Using command buttons to direct system activities

### Setting Up the Acrobat PDF Reader

Users must set up Adobe's Acrobat® Reader software in order to view documents that have been electronically filed on the system. All pleadings must be filed in PDF format. When installing this product, please review and follow Adobe's directions to utilize Acrobat® Reader after installation.

---

## Portable Document Format (PDF)

Only PDF (Portable Document Format) documents may be filed with the court using the ECF system. Before sending the file to the court, users should preview the PDF formatted document to ensure that it appears in its entirety and in the proper format.

### How to View a PDF File

- Start the Adobe Acrobat program.
- Go to the **File** menu and choose **Open**.
- Click on the location and file name of the document to be viewed.
- If the designated location is correct, and the file is in PDF format, Adobe Acrobat Exchange loads the file and displays it on the screen.
- If the displayed document is larger than the screen or consists of multiple pages, use the scroll bars to move through the document.
- Click on the **View** menu for other options for viewing the displayed document. Choose the option that is most appropriate for the document.

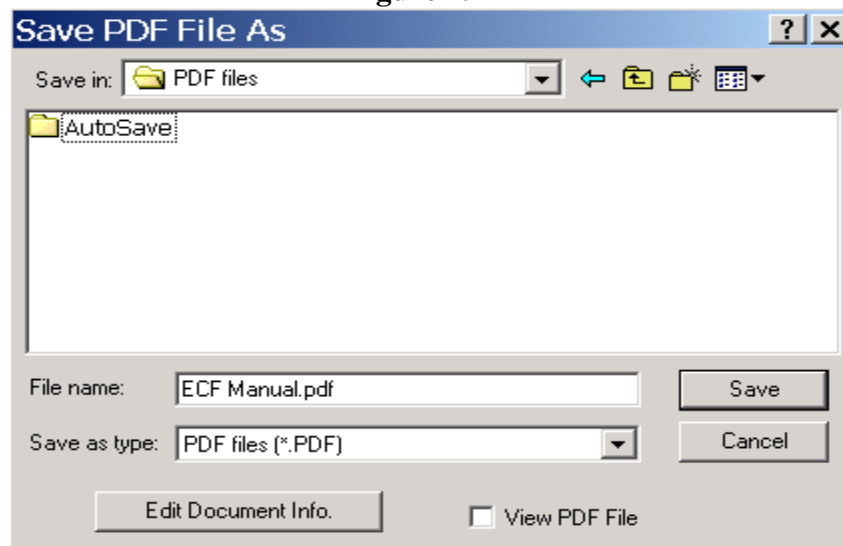
### How to Convert Documents to PDF Format

You must convert all of your documents to PDF format before submitting them to the Court's Electronic Case Filing (ECF) system. The conversion requires software such as Adobe Acrobat® Writer. Recent versions of Word and WordPerfect® have Acrobat® Writer built-in and can also be used to convert documents to PDF.

### Using any word processing program:

- Open the document to be converted.
- Select the **[Print]** option (generally found in the File menu) and in the dialog box select the option to change the current printer. A drop down menu with a list of printer choices is displayed.
- Select **Adobe PDF\***.
- "Print" the file. The file should not actually print out; instead the option to save the file as a PDF format file appears.

**Figure 4.1**



- Make a note of the file location so you can find the document later when you are ready to upload it. Change the location if necessary by clicking in the “Save in” area of the window.
- Name the file, giving it the extension .PDF and click the **[Save]** button.

## **Documents Filed In Error**

A document incorrectly filed in a case may result from a) posting the wrong PDF file to a docket entry; b) selecting the wrong document type from the menu; or c) entering the wrong case number. If you do not discover the error before completing the transaction, you must request that the Clerk’s Office correct the error.

To request a correction, contact the Clerk’s Office for assistance at 336-332-6000 or our **Toll Free Help Desk at 1-800-659-2212**.

Call as soon as possible if an error is discovered. You will need to provide the case and document numbers for the document requiring correction. If appropriate, the court will make an entry with a text notation indicating that the document was filed in error. If circumstances warrant, the docket clerk may temporarily reset the link to the document so that it may only be accessed by court users, not by counsel or PACER users. You will be advised if you need to re-file the document. The ECF system does not permit you to change the misfiled document(s) or incorrect docket entry after the transaction has been accepted; only court staff may do so.



---

## Errors Found During Quality Control Process

Clerk's Office staff will review documents filed by counsel for proper docketing and compliance with the filing requirements as specified in the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Local Rules and the Administrative Policies and Procedures of our court. If staff determines that a document was incorrectly filed, for example, Rule 26(a) disclosures which should only have been served on an opposing party, a **Notice of Deficiency re: electronically filed document event** will be entered in ECF and sent to the parties notifying that the document was filed in error. Access to the entry will be restricted so that the document may only be viewed by court users, not by counsel or PACER users. The original docket entry will reflect on the docket as FILED IN ERROR. If you file a document in the wrong case, it is your responsibility to notify the Court, who will instruct you accordingly.

## User's Manual

You can download or view the most recent version of the ECF User's Manual (in PDF format) from the District Court's web page. Enter <http://www.ncmd.uscourts.gov>, when the court's web page opens, click on the CM/ECF Electronic Filing System hyperlink located on our website as identified in Figure 4.2 below.

Figure 4.2



## 5. A Step-By-Step Guide

Below is a step-by-step guide for entering the system, preparing a document for filing, filing a motion or application, and displaying a docket sheet. We suggest that you go through the steps on the training database before trying to actually file a document.

---

## How to Access the System

Users can get into the system via the Internet by going to

<http://ecf.ncmd.uscourts.gov>

Or, you may go to the Middle District of North Carolina's Web site at

[www.ncmd.uscourts.gov](http://www.ncmd.uscourts.gov) and click on the **CM/ECF Electronic Filing System** hyperlink.

Click on **Middle District of North Carolina-Document Filing System** to open the login screen and login to ECF.

Users can access the **Training Database** by going to:

<http://ecf-train.ncmd.uscourts.gov>

## Logging In

The next screen is the login screen.

**Figure 5.1**

### CM/ECF Filer or PACER Login

#### Notice

This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

#### Instructions for filing:

Enter your CM/ECF filer login and password if you are electronically filing something with the court.

#### If you received this login page as a result of a link from a Notice of Electronic Filing email:

Enter your CM/ECF filer login and password. The system prompts customers for a CM/ECF login and password when attempting to view certain types of documents.

#### If you have trouble viewing a document:

After successful entry of your CM/ECF login, you should be able to view the document. If you receive the message "You do not have permission to view this document," viewing the document is restricted to attorneys of record in the case and the system does not recognize you as such. If the login prompt appears again, after you have entered your CM/ECF login and password, it means that the "free look" link has expired. You will need to enter your PACER login and password to view the document.

#### Instructions for viewing filed documents and case information:

If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, you may register online at <http://www.pacer.gov>.

Authentication	
Login:	<input type="text"/>
Password:	<input type="password"/>
client code:	<input type="text"/>
<input type="button" value="Login"/> <input type="button" value="Reset"/>	

**IMPORTANT NOTICE OF REDACTION RESPONSIBILITY:** All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers; and, in criminal cases, home addresses, in compliance with [Fed.R.Civ.P. 5.2](#) or [Fed.R.Crim.P. 49.1](#). This requirement applies to all documents, including attachments.

☐ I understand that, if I file, I must comply with the redaction rules. I have read this notice.

#### Notice

An access fee of \$0.10 per page or \$2.40 per document with an audio attachment, as approved by the Judicial Conference of the United States, will be assessed for access to this service. For more information about CM/ECF, [click here](#) or contact the PACER Service Center at (800) 676-6856.

*CM/ECF has been tested with Firefox and Internet Explorer 8 and 9.*


Enter your ECF Login and Password in the appropriate data entry fields. All ECF login names and passwords are case sensitive. This login page will allow you to both file documents and query for general case information. Please see the section entitled Query Feature for information about use of a PACER login and password.

**Note:** Use your **ECF** login and password if you are entering the system to file a pleading or to maintain your account. If you only wish to enter ECF to query the database for case information or to view a document, enter you **PACER** login and password. You will be charged a fee to view ECF case dockets and documents on **PACER**.

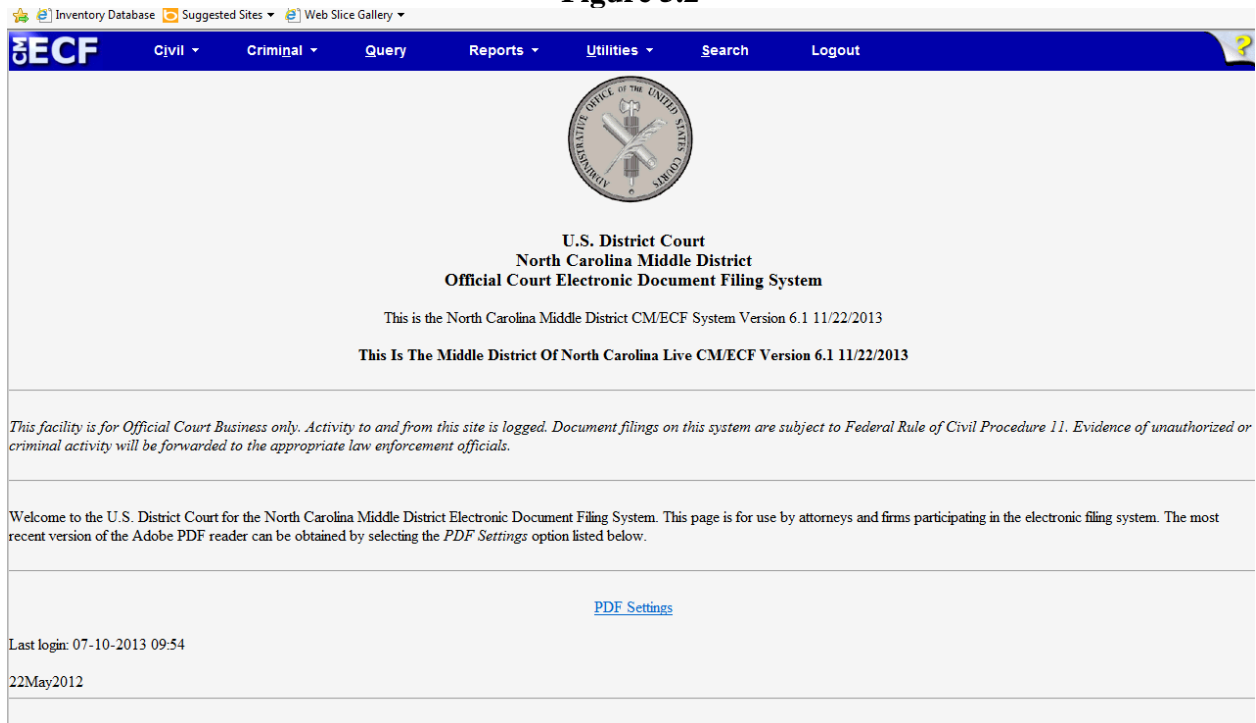
Verify that you have entered your ECF login and password correctly. If not, click **[Clear]** to erase the Login and Password entries and re-enter the correct information. After you enter the correct login and password information, click **[Login]** to transmit your user information to the ECF system.

- If the ECF system does not recognize your login and password, it will display the following error message on a new screen:

**Login failed either your login name or key is incorrect**

- Click **[Back]**  in your browser and re-enter your correct login and password. Once the **Main Menu** appears, choose from a list of **hyperlinked** options on the top bar.

**Figure 5.2**





---

**Note:** The date *you last logged into the system* appears at the bottom left corner of this screen. You should review this information each time you log in for security reasons. If you believe your last login date and time are incorrect, or suspect an unauthorized party is using your login and password, please telephone the court's Help Desk as soon as possible.

## Selecting ECF Features




ECF provides the following features that are accessible from the Blue menu bar at the top of the opening screen.

- |                          |  |
|--------------------------|--|
| <b><u>Civil-</u></b>     | Select <b><u>Civil</u></b> to electronically file all civil case pleadings, motions, and other court documents.  |
| <b><u>Criminal-</u></b>  | Select <b><u>Criminal</u></b> to electronically file all criminal case pleadings, motions, and other court documents.  |
| <b><u>Query-</u></b>     | Query ECF by specific <b><u>case number</u></b> , <b><u>party name</u></b> , or <b><u>nature of suit</u></b> to retrieve documents that are relevant to the case. You must log into <b>PACER</b> before you can query ECF. |
| <b><u>Reports-</u></b>   | Choose <b><u>Reports</u></b> to retrieve docket sheets and cases-filed reports. You must log into <b>PACER</b> before you can view an ECF report.  |
| <b><u>Utilities-</u></b> | View your personal ECF transaction log and maintain personal ECF account information in the <b><u>Utilities</u></b> area of ECF.   |
| <b><u>Logout-</u></b>    | Allows you to exit from ECF and prevents further filing with your password until the next time you log in.   |
| <b><u>Search-</u></b>    | Searches the ECF dictionary and returns a list of all events that contain the search term.   |

## General Rules and Manipulations

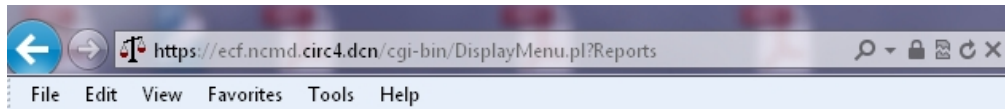
### Manipulating the screens


Each screen has the following two buttons:

-  removes **all** characters entered in the box(es) on that screen.
-  or  **accepts the entry just made and displays the next entry screen, if any.**

---

## Correcting a mistake:



Use the  button on the browser toolbar to go back and correct an entry made on a previous screen but not yet executed. Be aware that once the document is transmitted to the court, only the court can make changes or corrections.

## Signatures; Affidavits of Service

Documents which must contain original signatures, or which require verification or an unsworn declaration under any rule or statute, shall be filed electronically with originally executed copies maintained by the filer. The filing party shall scan the original affidavit, and then electronically file it on the System. See the Electronic Case Filing Administrative Policies and Procedures Manual for signature restrictions.

In the case of a stipulation or other document to be signed by two or more persons, the following procedure should be used:

- (a) The filing party or attorney shall initially confirm that the content of the document is acceptable to all persons required to sign the document and shall obtain the physical signatures of all parties on the document.
- (b) The filing party or attorney then shall file the document electronically, indicating the signatories, e.g., “/s/Jane Doe,” or “/s/John Doe,” etc.
- (c) If the filing party or an attorney believes a document with original signatures has intrinsic value, the attorney shall retain the original document until two (2) years after the expiration of the time for filing a timely appeal of a final judgment or decree, or after receipt by the Clerk of Court an order terminating the action on appeal.
- (d) A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signatures or the authenticity of the signatures themselves must file an objection to the document within ten days of receiving the Notice of Electronic Filing.

---

## 6. Civil Case Opening

New civil cases filed by attorneys shall be performed electronically using ECF (Electronic Case Filing system). After successfully logging into the system, follow these procedures to open a civil case. Once the case has been created, you will docket your initial pleading located under Complaints, Other Initiating Documents.

**New cases are deemed filed the day the Clerk’s Office receives the complaint and any required filing fee. The complaint must be filed the same day that the case is opened; otherwise the system will not process the new case properly.**

To open a civil case:

- Log into CM/ECF.
- Select “Civil” from the selection bar across the top of the opening page in CM/ECF.
- Select “Civil Case” directly below “Open a Case.” Selecting this will bring up the screen below. Please note the case number will be issued automatically by the system. It is not necessary to manually enter a case number. Fill in the following information on this screen:

Figure 6.1

The screenshot shows the 'Open Civil Case' form in the CM/ECF system. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', and 'Reports' dropdown menus. The form itself has a title 'Open Civil Case' and several input fields: 'Office' (dropdown menu with 'NCMD' selected), 'Case type' (dropdown menu with 'cv' selected), 'Date filed' (6/4/2013), 'Lead case number' (text input), 'Association type' (dropdown menu with 'Appeal' selected), 'Other court name' (text input), 'Other court number' (text input), 'JPML number' (text input), and a checkbox for 'Related cases'. At the bottom of the form are 'Next' and 'Clear' buttons.

Office:	Leave as NCMD.
Case type:	Leave the case type as “cv” for civil case.
Case Number:	Leave blank. System will assign a case number after the case is created.

Date filed:	File date automatically entered by the system.
Lead case number:	Leave blank. Case number will be entered by the Clerk's Office, if applicable.
Association type:	Do not enter the association type. This is a default setting and should always reflect "appeal."
Other court name:	Enter the court's name only if the case is a Petition For Removal, Transfer, Bankruptcy Appeal case, or 2255 Motion from another court.
Other court number:	Enter the other court number only if the case is a Petition for Removal, Transfer, Bankruptcy Appeal case, or 2255 Motion.

- The screen shown below prompts you to enter information from the pleadings.

**Figure 6.2**

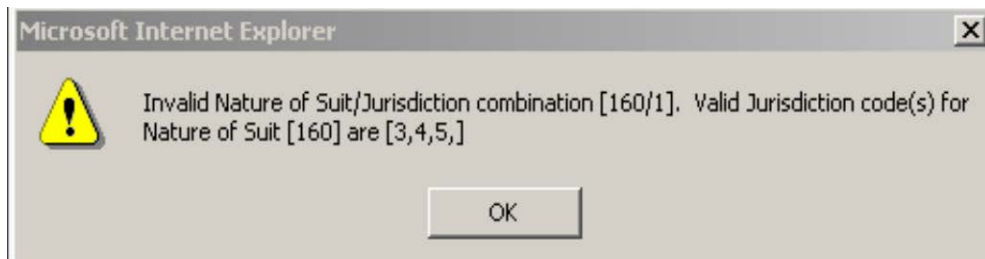
Jurisdiction:	Enter the appropriate jurisdiction. ( <i>Why is this case filed here?</i> )
Cause of action:	Enter the appropriate cause of action. ( <i>What is the case about?</i> ) If the cause of action you are looking for is not included in the list, contact the clerk's office.

---

Nature of suit:	Enter the appropriate nature of suit. ( <i>What kind of case is it?</i> )
Origin:	Enter the appropriate origin. ( <i>How did it get here?</i> )
Citizenship of plaintiff:	Enter citizenship information of the plaintiff, only if the case is a diversity case.
Citizenship of defendant:	Enter citizenship information of the defendant, only if the case is a diversity case.
Jury demand:	If a jury demand was requested in the pleadings filed, select the party type that demanded the jury trial.
Class action:	If seeking a class action, a separate motion must be filed pursuant to Local Rule 23.1. Leave as “n.”
Arbitration code:	Leave the “Arbitration code” blank.
County:	Enter the county of residence of the first-listed plaintiff in the Middle District of North Carolina. If the U.S. is the plaintiff in the case, enter the county of residence of the first-listed defendant.
Fee status:	<ul style="list-style-type: none"> <li>• fp (<i>in forma pauperis</i>) - to be used for any pro se, prisoner or Social Security <i>ifp</i> case</li> <li>• none (no fee required) - to be used for cases in which the United States is the plaintiff and for §2255 motions</li> <li>• pd (paid) - to be used when the filing fee has been paid in full. <b>Please follow Pay.gov credit card instructions when docketing a complaint.</b></li> <li>• wv (waived)</li> </ul>
Fee date:	The fee date entered by the system. This is the same date as the filing date.
Date transfer:	Leave this blank.

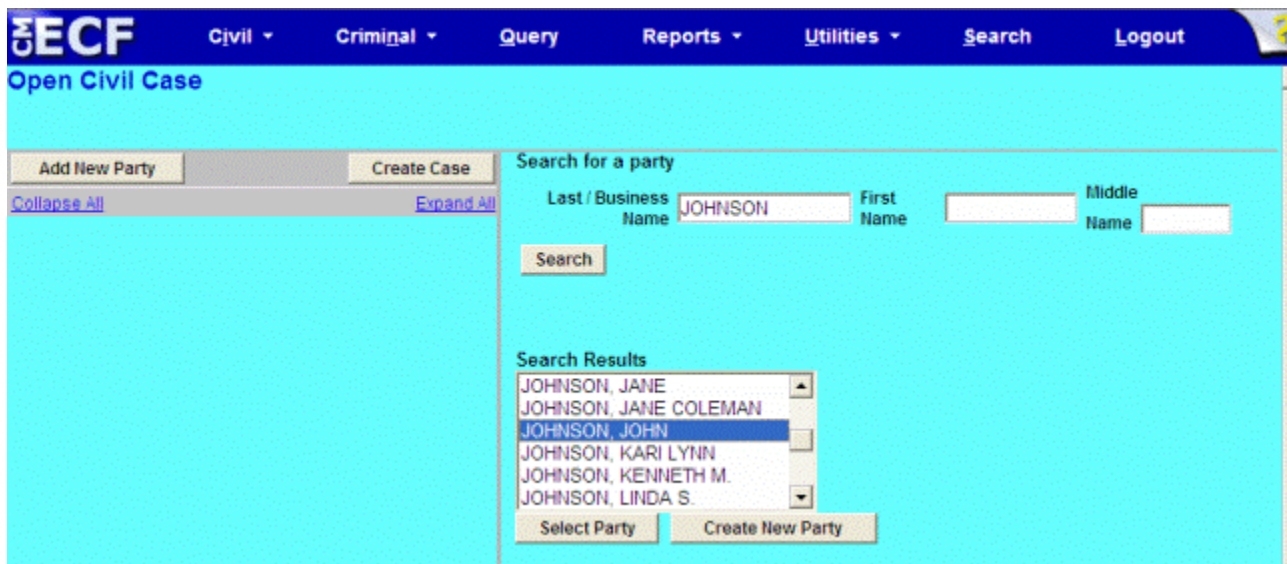
Note: the system will verify the accuracy of combinations entered on the screen above. For example, if an invalid Nature of Suit and Jurisdiction combination is selected, the following screen will appear.

Figure 6.3



- Next, you will be prompted to search for a party, as shown on the screen below. Enter in ALL CAPS the party's First and Last name and click on "Search". If the party is a business, enter full name, in ALL CAPS, with correct punctuation in "Last/Business Name" field and click on "Search".

Figure 6.4



- If the party's name is already in the district's case database, it will appear under the search results. Scroll through the list, if necessary, to find the appropriate party for selection.



- To scroll through the list, either left-click the up/down arrows, or left-click and drag the button between the arrows.
- To select an existing party name from the returned names, highlight the name by clicking on it, and click on “Select Party.”

Figure 6.5

The screenshot shows the ECF system interface. At the top is a blue navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, Search, and Logout. Below this is a light blue header area with buttons for 'Add New Party' and 'Create Case', and links for 'Collapse All' and 'Expand All'. The main content area is divided into two sections. The left section is a large empty box. The right section is titled 'Search for a party' and contains three input fields: 'Last / Business Name' with the value 'JOHNSON', 'First Name' with the value 'J', and 'Middle Name'. Below these fields is a 'Search' button. Underneath the search fields is a 'Search Results' section containing a list of three names: 'JOHNSON, JANE', 'JOHNSON, JANE COLEMAN', and 'JOHNSON, JOHN'. The third name, 'JOHNSON, JOHN', is highlighted in blue. At the bottom of the search results section are two buttons: 'Select Party' and 'Create New Party'.

If the party search results pick list does not return the proper party for selection, the message “No Person Found” will be displayed. You will have to add the party to the district’s database by left-clicking the “Create New Party” button. Select “Create New Party” and **add** the party name exactly how it appears on the document in **ALL CAPS**.

Figure 6.6

The screenshot shows the ECF system interface. At the top is a blue navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, Search, and Logout. Below this is a light blue header area with buttons for 'Add New Party' and 'Create Case', and links for 'Collapse All' and 'Expand All'. The main content area is divided into two sections. The left section is a large empty box. The right section is titled 'Search for a party' and contains three input fields: 'Last / Business Name' with the value 'JOHNSON', 'First Name' with the value 'JOHN', and 'Middle Name'. Below these fields is a 'Search' button. Underneath the search fields is a 'Search Results' section which is empty. At the bottom of the search results section are two buttons: 'Select Party' and 'Create New Party'. Below these buttons is a message: 'Search returned no results. Please try again or create a new party.'

- The party information screen will have additional name fields at the top if you are creating a new party, rather than selecting a name already in the database.

**Figure 6.7**

The screenshot shows the 'Open Civil Case' interface. At the top, there's a navigation bar with 'ECF' logo and links for Civil, Criminal, Query, Reports, Utilities, Search, and Logout. Below this, the 'Open Civil Case' title is displayed. The main area is divided into two sections. On the left, there are buttons for 'Add New Party' and 'Create Case', along with 'Collapse All' and 'Expand All' links. On the right, the 'Party Information' form is shown for 'JOHN JOHNSON'. The form includes the following fields: Title (blank), Role (Plaintiff (pla:pty) selected in a dropdown), Pro se (No selected in a dropdown), Prisoner Id (blank), Office (blank), Address1 (blank), Address2 (blank), Address3 (blank), State (blank), Zip (blank), City (blank), Country (US selected in a dropdown), and Prison (blank). There is also a checkbox labeled 'Show this address on the dock' which is unchecked.

Title: Leave this blank.

Role: Select the party's role from the drop-down list.

**Note: The role defaults to Select Role Type (-:pty).**

Pro se: If this is a Notice of Removal, select whether the party is pro se (representing himself.) If the party is pro se, please add the address information in **ALLCAPS**.

**NOTE:** This field should be "yes" only if the party is legitimately pro se. Do not put "yes" if the attorney is merely unknown.

Prisoner Id: Unless otherwise directed in this manual, always leave the prisoner ID field blank.

**Leave the contact information blank. Do not fill in address and phone number fields.**

Party text: Enter party text, if applicable. Note: Party text is descriptive information about the party, (e.g. In his official capacity, Commissioner of Social Security etc.) and will be found in the caption of the initiating document.



- Click on the “Alias...” button to enter an alias for the party, if applicable.

Figure 6.8



- Do not add a “Corporate Parent or other affiliate”. If a disclosure of Corporate Affiliations is going to be filed, it will be at the time of filing the disclosure that the corporate parent/affiliate will be added. Click on the “Add New Party”.
- Search for the next party and repeat this process for each party involved. When all parties are entered into the system, select “Create Case.”

**NOTE:** CM/ECF automatically adds you as an attorney filer. If you are filing a complaint or a notice of removal, all additional attorneys making an appearance on behalf of the plaintiff(s)/defendant(s) must electronically file his/her own notice of appearance **after** the lead event has been docketed. The attorney who filed the complaint or petition for removal will automatically be added to the case. If you are filing a petition for removal, the Clerk's Office will add all plaintiff attorneys of record. The case is opened in the system. The system will ask “Docket the lead event?” This includes any case initiating document (e.g. complaint, notice of removal, motion for IFP, etc.) Please do not convert your Complaint to **PDF** until you have added the case number that you receive at the end of case opening. Add the case number to the complaint and all other original pleadings to be filed and then convert to **PDF**. Answer “yes” to the question and docket the complaint.

**NOTE:** If you are filing a **Petition for Removal**, please make **each** of the state court documents a separate attachment to the Petition.

- If you are filing an Application to Proceed In Forma Pauperis (IFP), this will be the lead document before filing the Complaint. Under the civil category, select “Motions” under “Motions and Related Filings”.

**Figure 6.9**

The screenshot shows the ECF system interface. At the top, there is a navigation bar with links for Civil, Criminal, Query, Reports, and Utilities. Below this is a 'Logout' button. The main section is titled 'Motions'. There is a search bar with the placeholder text 'Start typing to find another event.' Below the search bar, there are two columns: 'Available Events (click to select events)' and 'Selected Events (click to remove events)'. The 'Available Events' list includes various legal events, with 'Application to Proceed IFP' highlighted. The 'Selected Events' list currently contains 'Application to Proceed IFP'. At the bottom of the 'Available Events' list, there are 'Next' and 'Clear' buttons.

- Enter the civil case number.
- Select the filer.
- Check the box on the left of the screen for associations which should be created.
- Attach the PDF document.
- Modify the docket text, if necessary.

Figure 6.10

ECF Civil Criminal Query Reports Utilities  
Search Logout  
Motions  
1:11-cv-00006 JOHNSON v. JACKSON  
Docket Text: Modify as Appropriate.  
APPLICATION to Proceed IFP [redacted] () by JOHN JOHNSON. (attorney4, )  
Next Clear

- After filing your IFP, then docket the Complaint by going under Civil-Initial Pleadings-Service-Complaints, other Initiating documents-Complaint. If applicable, file the Corporate Disclosure Statement as required by Rule 7.1 of the [F.R. Civ.P.](#) (A PDF version is available on our website under the Forms tab).

\*Note: When using the PDF interactive forms on our website, but sure that you print them to PDF instead of saving them to PDF.

- As a general rule, if there are additional documents and they are separately captioned, they should be docketed as separate events.
- **Counsel should complete the summons in Adobe interactive format** (located in our forms directory at our website) and e-mail it to [newcases@ncmd.uscourts.gov](mailto:newcases@ncmd.uscourts.gov). The Clerk's Office will sign, date and seal the summons(es) and will e-mail them to the attorney who initiated the action. Each summons should be printed for service. Attorney filers will receive a NEF that summons have been issued.

**NOTE:** If a case cannot be filed electronically due to technical difficulties, please contact the Clerk's Office at 336-332-6000. Problems with the online credit card program (Pay.gov) can be addressed by calling Pay.gov at 1-800-624-1373. If you are unable to docket the complaint or notice of removal after two attempts in one hour increments after 10:00 a.m. that day, you may e-mail the complaint in PDF format to [newcases@ncmd.uscourts.gov](mailto:newcases@ncmd.uscourts.gov). **Please contact the Clerk's Office at 336-332-6000 after doing so.** Filing Users are cautioned that, in some circumstances, the Court lacks the authority to grant an extension of time to file (e.g., Rule 6(b) of the Federal Rules of Civil Procedure).

---

## 7. Civil Events Feature - Filing Documents for Civil Cases

Registered filers will use the civil feature of ECF to electronically self-file and docket with the Court a variety of pleadings and other documents for civil cases. A list of ECF documents are on our website [www.ncmd.uscourts.gov](http://www.ncmd.uscourts.gov).

This section of the manual describes the basic steps that you need to take in order to file a single motion with the Court. The process is consistent regardless of the event.

The basic steps to **File a New Case** are as follows:

1. Select the Type of Document to file - **Civil Case** (See Attorney Event Menu).
2. On the statistical screen, enter the case opening information.
3. Add/Create The Parties in the case. Parties' names **must** be in upper case (CAPS).
4. End Party Selection. After all your parties have been entered, the system will generate your new case number.
5. You will be invited to docket the "Lead Event" at the end of case opening. Please do not convert your Complaint to **PDF** until you have added the case number (ex. 1:06 CV 345) that the system will give you at the end of case opening. Add the Case Number to the complaint in the appropriate area and then convert to **PDF**.

**NOTE:** If you are filing a **Petition for Removal** please make each of the state court documents a separate attachment to your Petition.

6. Select the Filer of the Document.  
**Note:** The person filing the document electronically must also be the person whose electronic signature appears on the document.
7. Create the attorney/party Association.
8. Select the Party that the filing is Against.
9. Specify the PDF File Name and Location for the document to be filed.
10. Specify Attachments to the complaint.
11. Modify the Docket Text as necessary.
12. Submit the Pleading to ECF.
13. Pay.Gov, a credit card payment program, will prompt the filer for filing fee information and actual payment.
14. Receive the Notice of electronic filing.

- 
15. Docket **Disclosure of Corporate Affiliations** form, if applicable. (located in our forms directory.)
  16. Counsel should Complete the Summons in **Adobe interactive format** (located in our forms directory at our website) and e-mail it to [newcases@ncmd.uscourts.gov](mailto:newcases@ncmd.uscourts.gov). The Clerk's Office will sign, date and seal the summons(es) and will e-mail it back to the attorney who initiated the action. Counsel should Print the Summons for service. Attorney filers will receive an NEF that summons have been issued.
  17. If you have any questions during the docketing of these procedures please call 1-800-659-2212 or 336-332-6000 for assistance.

After successfully logging into ECF, follow these steps to file a pleading.



## Select the type of document to file.

Select **Civil** from the blue menu bar at the top of the ECF screen. The Civil Event window opens displaying all of the events from which you may choose for your filing. This section of the User's Manual describes the process for filing a **Motion** in ECF. The process is similar for filing other pleadings in ECF.

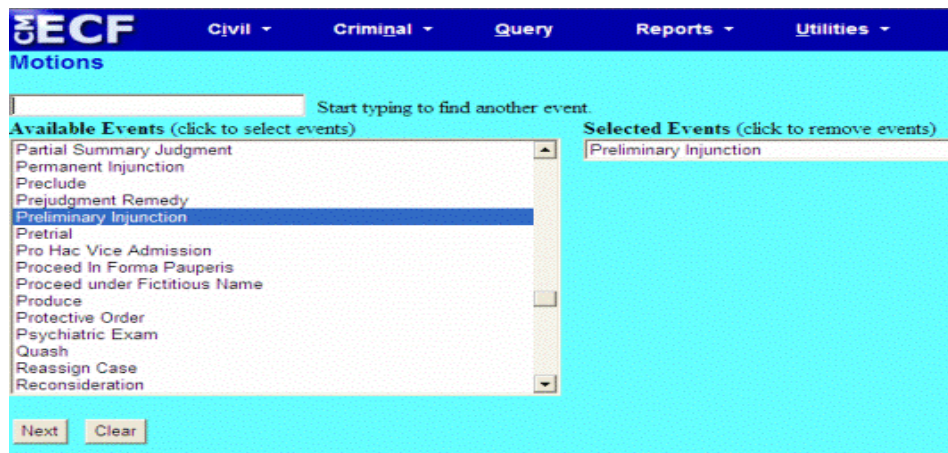
Click on **Motions**, under **Motions and Related Filings**.

Figure 7.1



The **Motions** screen appears and displays a motion selection field with a scroll bar next to it. Scroll through the menu until you find the type of motion or application you wish to file.

Figure 7.2



---

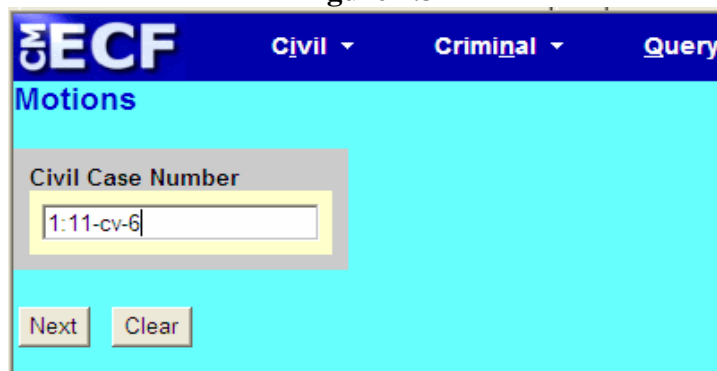
For demonstration purposes, highlight **Preliminary Injunction** and click [Next].

**Note:** To select more than one motion, press and hold down the **Ctrl** key, and click on each of the desired multiple forms of relief.

## Enter the case number in which the document is to be filed.

A new Motions screen opens with a Case Number field. Enter the number of the case for which you are filing a motion and click [Next].

Figure 7.3

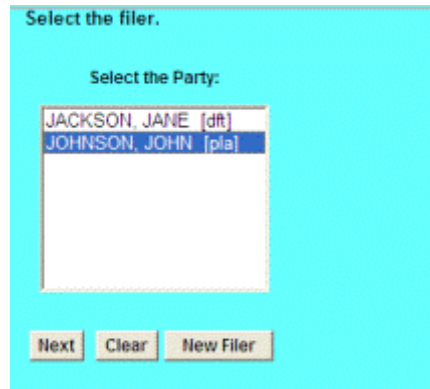
The screenshot shows a web interface for the ECF (Electronic Case Filing) system. At the top, there is a blue header bar with the ECF logo on the left and three dropdown menus labeled 'Civil', 'Criminal', and 'Query' on the right. Below the header, the word 'Motions' is displayed in blue. The main area has a light blue background. A grey box labeled 'Civil Case Number' contains a text input field with the value '1:11-cv-6'. Below this box are two buttons: 'Next' and 'Clear'.

- If the number is entered incorrectly, click **Clear** to re-enter. If the computer prompts that you entered an invalid case number, click **Back** to re-enter.
- When the case number is correct, click **Next**.

---

## Designate the party(s) filing the document.

Figure 7.4



**Highlight the name of the party or parties for whom you are filing the motion. If you represent all defendants or all plaintiffs, you may select the entire group by holding down the control key while pointing and clicking on each party of the group** After highlighting the parties to the motion, click [Next].

Note: All parties should have been added to the case when it was opened. If your party does not appear, double check to make sure you are filing in the correct case. See the section of this manual titled **Add/Create New Party** for more information.

### Add/Create New Party.

In rare cases you may need to add a party to the ECF system. If the party you represent is not listed in the “Select a Party” screen, click **Add/Create New Party**. The screen depicted below will appear.



Figure 7.5

ECF Civil Criminal Query Reports Logout

Motions

[1:11-cv-00006 JOHNSON v. JACKSON](#)

Pick Filer

[Collapse All](#) [Expand All](#)

JANE JACKSON dft

JOHN JOHNSON pla

Select the filer.

Select the Party:

JACKSON, JANE [dft]  
JOHNSON, JOHN [pla]

Next Clear New Filer

You must first perform a search to see if your party has already been entered in the ECF system. Type the first few letters of the party's last name for an individual or the first few letters of the company name. Although system searches are not case sensitive, this district requires that all new parties be added in **UPPER CASE** format. Click **[Search]**.

Figure 7.6

ECF Civil Criminal Query Reports Utilities Search Logout

Motions

[1:11-cv-00006 JOHNSON v. JACKSON](#)

Pick Filer

[Collapse All](#) [Expand All](#)

JANE JACKSON dft

JOHN JOHNSON pla

Search for a party

Last / Business Name First Name Middle Name

Search

If a match is found, ECF will display a list of party names. If the name of the party you represent appears in the list, click on it and then click **[Select Party]**. Review the party information and select the party's role in this filing. Click **[Submit]**.

Figure 7.7

The screenshot shows the ECF Motions interface. At the top, there is a navigation bar with links for Civil, Criminal, Query, Reports, Utilities, and Search. Below this, the 'Motions' section is displayed for case 1:11-cv-00006-JOHNSON v. JACKSON. A 'Pick Role' dropdown menu is open, showing a list of roles including 'JANE JACKSON' and 'JOHN JOHNSON'. To the right, there is a 'Search for a party' section with fields for 'Last / Business Name', 'First Name', and 'Middle Name'. The 'Last / Business Name' field contains the text 'WENDYS'. A 'Search' button is located below these fields. Below the search fields, there is a 'Search Results' section which is currently empty. At the bottom of the search results section, there are two buttons: 'Select Party' and 'Create New Party'. A message at the bottom of the search results section reads: 'Search returned no results. Please try again or create a new party.'

If a match is not found, or your party does not appear in the list, click [**Create New Party**].

**Note:** Before adding a party, check your case number to ensure that you are working in the correct case. Then, thoroughly search for the party's last name or the company's name before adding a new record to the database.

Example of an incorrect search parameter: **THE NORTH CAROLINA BAR**

Example of a **correct** search parameter: NORTH CAROLINA BAR

**NOTE:** Incorrectly added parties will be periodically updated by the systems administrator but may appear on your pick-list from time to time. Always choose an existing party that is properly formatted over one that was added incorrectly when presented with a list of possible matches.

Correct Example: JOHN W SMITH JR

Incorrect Example: John W. Smith, Jr.

- For a company, enter the entire company name in the **Last Name** field. Choose the appropriate **Role** from the drop down list. Click [**Create New Party**].
- For an individual, fill out the **Last Name**, **First Name**, **Middle Name**, **Generation** and **Title** fields as appropriate. Choose the appropriate **Role** from the drop down list.

---

Click **[Submit]**.

- Leave all other fields blank.

Use the "Party text" field to add additional information to describe your party. Information added to this field is case specific and will not be transferred to all cases in the system using that particular party name.

**Example:**

<b>Last Name Field</b>	=	<b>ABC CORPORATION</b>
<b>Party Text Field</b>	=	<b>A NORTH CAROLINA CORPORATION</b>
<b>First Name Field</b>	=	<b>JOHN</b>
<b>Middle Name Field</b>	=	<b>H</b>
<b>Last Name Field</b>	=	<b>SMITH</b>
<b>Party Text Field</b>	=	<b>WARDEN</b>

**Figure 7.8**

The screenshot shows a form with the following fields and values:

E-mail	
Party text	
Start date	8/28/2011
End date	
Corporation	no
Notice	yes
Add Party	

Click **[Add Party]**.

## Modifying Party Roles

It is important that the user select the correct party role when adding a new party. The system defaults to "defendant (dft:pty)", and it is up to the user to change this designation when applicable.

To change the "Role" field, click the down arrow and either use the mouse and the scroll bar or the keyboard to move through the options until the correct party role is found. Selections are in alphabetical order.

Once selected, the party type will appear in the "Role" field as shown in Figure 7.9:

Figure 7.9

The screenshot shows the ECF Motions screen for case 1:11-cv-00006 JOHNSON v. JACKSON. The interface includes a top navigation bar with links for Civil, Criminal, Query, Reports, Utilities, and Search, along with a Logout button. The main section is titled 'Motions' and displays the case name. Below this, there is a 'Pick File' button and a list of parties: JANE JACKSON (df) and JOHN JOHNSON (pl). To the right, the 'Party Information' section contains fields for Last name (WENDY'S), First name, Middle name, Generation, Title, Role (Defendant (df:pty)), Pro se (No), Prisoner Id, and Unit.

**Specify the PDF file name and location for the document to be filed.**

ECF accepts the party or parties you selected and refreshes the screen to display a new **Motions** screen depicted below. ECF displays a field for locating and entering the PDF file of the document (pleading) you are filing in ECF.

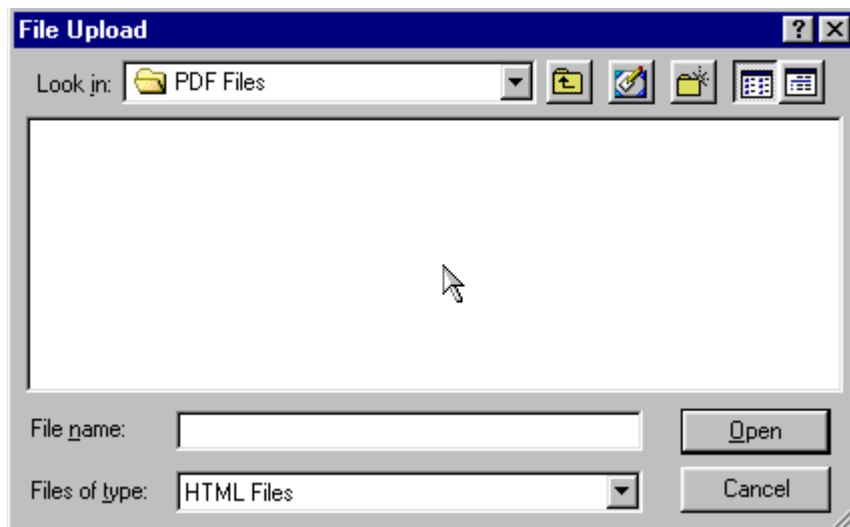
**Note:** It is imperative that you attach an electronic copy of the actual pleading when prompted by the system. All documents that you intend to file in ECF **MUST** reside in **PDF** format. Otherwise, ECF will not accept the document and users will be unable to retrieve and read your document from within ECF.

Figure 7.10

The screenshot shows the ECF Motions screen for case 1:11-cv-00006 JOHNSON v. JACKSON. The interface includes a top navigation bar with links for Civil, Criminal, Query, Reports, Utilities, and Search, along with a Search button. The main section is titled 'Motions' and displays the case name. Below this, there is a prompt 'Select the pdf document and any attachments.' and a 'Main Document' section with a 'Browse...' button. Below the 'Main Document' section, there is a table with columns for Attachments, Category, and Description. The table has one row with a 'Browse...' button, a dropdown menu, and a text field. At the bottom, there are 'Next' and 'Clear' buttons.

Click [**Browse**]. ECF opens the following screen.

Figure 7.11



- Change the **Files of type** from:

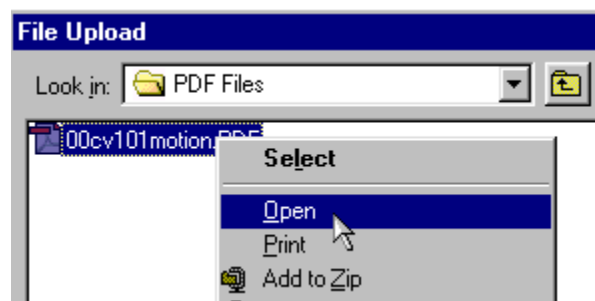


to:



- Navigate to the appropriate directory and file name to select the PDF document you wish to file.
- Highlight the file to upload to ECF.

**Note:** In order to verify that you have selected the correct document, right mouse click on the highlighted file name to open a **quick menu** and left mouse click on [**open**]. Adobe Acrobat or Acrobat Reader will launch and open the PDF document that you selected. You should view it to verify that it is the correct document.



- Once you have verified the document is correct, close Adobe Acrobat and click on the [**Open**] button. ECF closes the **File Upload** screen and inserts the PDF file name and location in the **Motions** screen.

**Figure 7.12**

**ECF** Civil Criminal Query Reports Utilities Search

**Motions**  
1:11-cv-00006 JOHNSON v JACKSON

Select the pdf document and any attachments.

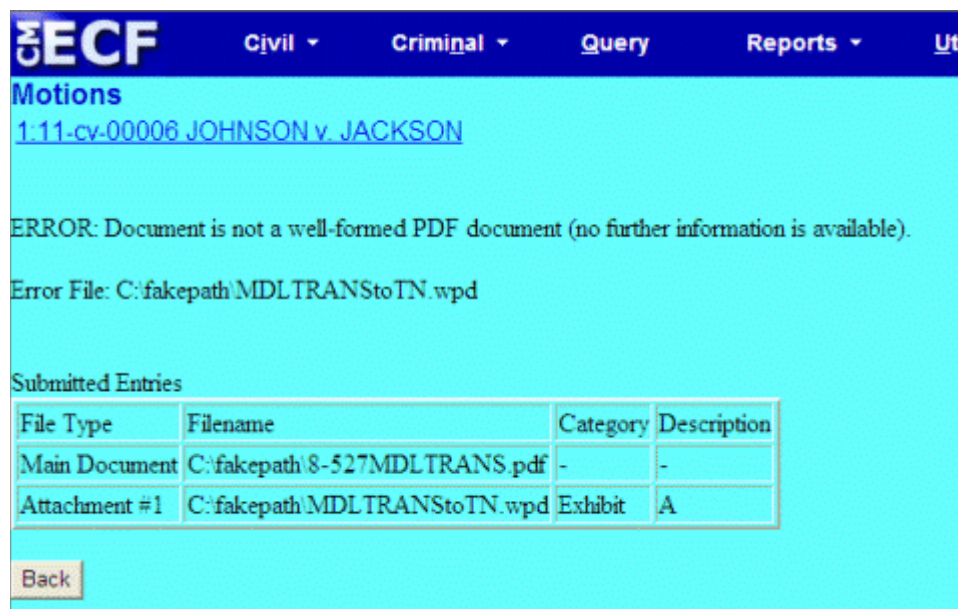
**Main Document**  
N:\11cv6-Motion-Johnson.pdf Browse...

	Attachments	Category	Description	
1.	N:\A088 Subpoena.WPD Browse...	Exhibit	A	Remove
2.	Browse...			

Next Clear

- If there are no attachments to the motion, click [**Next**].
- If you have a Response Deadline, do not change or remove the date the system defaults to. Click [**Next**].
- If you have Attachments to your motion, you will select [**Browse**] on the screen depicted above. Each exhibit to a motion, response or reply should be a separate attachment. Click [**Next**] and proceed to the first step in Section 7, “**Adding Attachments to Documents Being Filed**”.
- In the event you selected and highlighted a file that is *not* in PDF format, ECF will display the following error message after you click [**Next**].

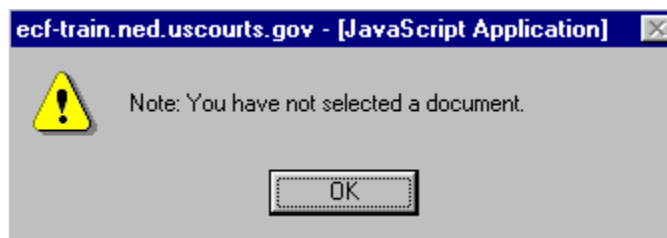
Figure 7.13



- ECF will not permit you to select a file for your pleading that is not in PDF format.
- Click **[Back]** and ECF will return to the **Motions** screen. Select and highlight the PDF file of your pleading and proceed as before.

#### Failure to Select A Document to File

If you fail to select a document to file with your pleading, ECF will display the error message depicted below.



- If you click **[OK]** from the screen depicted above ECF will return you to the **Motions** screen. You cannot proceed without attaching a PDF document.

---

## Adding attachments to documents being filed.

Remember that each exhibit to a motion, response or reply should be a separate attachment.

**NOTE:** Please see Section K of the Electronic Case Filing Administrative Policies and Procedures Manual for instructions on how to submit Proposed Orders for the Court's approval. All proposed orders must be submitted in a format compatible with WordPerfect®, which is a "Save As" option in most word processing software.

- Click [**Browse**] to search for the document file name of the attachment.
- Next to the field for attachment **Category**, click on the arrow and ECF opens a pull-down screen. Highlight the type of attachment from the displayed selection.
- To describe the attachment more fully, click in the **Description** box and type a clear and concise description of the attachment. **Your filing will be considered deficient if you do not perform this task.**
- Click [**Next**].

ECF adds the selected document as an attachment to the pleading. A new **Motions** screen opens to display the file name of the newly attached document.

- Repeat the sequence for each additional attachment.
- After adding all of the desired PDF documents as attachments, click on [**Next**].

## When attachments and exhibits are in paper format.

All attachments or exhibits in paper form should be scanned using a scanner and appropriate software for the creation of files in PDF format when possible. Exhibits may be scanned into one or more files (each less than 5 MB in size) and attached for e-filing using the procedure outlined above.

**Tip:** Be sure your scanner is set to black and white for text (unless it is a document that must be filed in color) and is set at a low image resolution, before scanning documents. The Clerk's Office is using a scanner resolution of 300 x 300 in black and white mode.

Attachments or exhibits that cannot be scanned for e-filing and are allowed to be submitted to the Clerk's Office in paper format may be filed using the following method:

E-file a notice of manual filing (event) indicating that certain attachments have not been scanned and will be, instead, filed with the Clerk's office. Print the resulting



---

Notice of Electronic Filing (NEF), attach it to the paper exhibits, and submit it to the Clerk's Office. Paper attachments submitted in this manner will be considered filed as part of the e-filed pleading.

Note: For moderate length paper attachments, consider dividing them into two or more smaller attachments, scanning, and filing them electronically.

### Linking Documents (Refer to existing event).

Some pleadings such as Briefs and Indexes should be “linked” to their related documents in the case. When filing these and certain other types of documents, you will be presented with the following screen.

Figure 7.14

CM/ECF Civil Criminal Query Reports

Other Documents

[1:11-cv-00006 JOHNSON v. JACKSON](#)

☒ Should the document you are filing link to another document in this case?

Filed  to

Documents  to

Next Clear

An “event” in CM/ECF is anything that has been filed in a case. To link the document you are currently filing to a previously filed document, check the box and click **[Next]**.

Figure 7.15

**ECF** Civil Criminal Query Reports Utilities

**Other Documents**  
[1:11-cv-00006 JOHNSON v. JACKSON](#)

Select the appropriate event(s) to which your event relates:

- ☐ 08/23/2011 [1](#) Second MOTION for Preliminary Injunction to Cease and Desist by JOHN JOHNSON. Responses due by 9/16/2011 (Attachments: # [1](#) Exhibit A) (attorney14, )
- ☐ 08/23/2011 [2](#) Answer to 14 Amended Complaint ANSWER to Complaint by JANE JACKSON.(attorney14, )
- ☐ 08/23/2011 [3](#) COMPLAINT against JANE JACKSON, filed by JOHN JOHNSON. (attorney7, )
- ☒ 08/23/2011 [4](#) MOTION to Dismiss Complaint by JANE JACKSON. Responses due by 9/16/2011 (attorney9, )

Click the checkbox for the document you wish to link to and click [Next]. You must link at least one document from the list. If you have arrived at this screen in error, click the [Back] browser and remove the check from the checkbox before the question “**Should the document you are filing link to another document in this case?**” You will then be able to continue moving through the event without linking to a document.

Note: Many events offer users the ability to link to other documents in a case. When applicable, attorneys are encouraged to use this option as the linked records aid the judges and court staff when reviewing the case record.

## Modify docket text.

Figure 7.16

**ECF** Civil Criminal Query Reports Utilities Sea

**Motions**  
[1:11-cv-00006 JOHNSON v. JACKSON](#)

Docket Text: Modify as Appropriate.

---

Click on the button shown here to open a modifier drop-down list. Select a modifier if appropriate.

**Figure 7.17**

The screenshot shows the CM/ECF web interface. At the top is a blue navigation bar with the CM/ECF logo and tabs for Civil, Criminal, Query, Reports, and Utilities. Below this is a cyan header area with the word 'Motions' and the case number '1:11-cv-00006 JOHNSON v. JACKSON'. The main content area has a grey bar that says 'Docket Text: Modify as Appropriate.' Below this is a yellow box containing a dropdown menu with 'Second' selected, followed by the text 'MOTION for Preliminary Injunction to Cease and Desist by JOHN JOHNSON. Responses due by 9/16/2011 (Attachments: # (1) Exhibit A) (attorney14, )'. An arrow points to the text 'to Cease and Desist'. At the bottom of the yellow box are two buttons: 'Next' and 'Clear'.

Click in the open text area to type additional text for the description of the pleading.

### **Submit the pleading.**


- Click [Next]. A new **Motions** window appears with the complete text for the docket report.
- Review the docket text and correct any errors. If you need to modify data on a previous screen, click the  button on the browser toolbar to find the screen you wish to alter.

Figure 7.18

**ECF** Civil Criminal Query Reports Utilities Search

**Motions**

[1:11-cv-00006 JOHNSON v. JACKSON](#)

Docket Text: Final Text

Second MOTION for Preliminary Injunction to Cease and Desist by JOHN JOHNSON.  
Responses due by 9/16/2011 (Attachments: # (1) Exhibit A)(attorney14, )

**Attention!!** Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.  
Have you redacted?

Source Document Path (for confirmation only):  
C:\fakepath\8-547MDLTRANS.pdf pages: 1  
C:\fakepath\8-547 MDL 1760 CTO 83.pdf pages: 1

Next Clear

- Click [Next] to file and docket the pleading.

**Note:** The screen depicted above contains the following warning.

**Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.**

At any time prior to this step, you can abort the ECF filing or return to previous screens by:

- clicking on any hyperlink on the **Blue** ECF menu bar *to abort* the current transaction. ECF will reset to the beginning of the process you just selected.
- clicking on the Web Browser [Back] button until *you return to the desired screen*.

## Notice of Electronic Filing.

ECF opens a new **Motions** window displaying an ECF filing receipt.

ECF

Civil

Criminal

Query

Reports

Utilities

Search

Logout

Motions

1:11-cv-00006 JOHNSON v. JACKSON

U.S. District Court

North Carolina Middle District

Notice of Electronic Filing

The following transaction was entered by attorney14, on 8/23/2011 at 9:53 AM CDT and filed on 8/23/2011

Case Name: JOHNSON v. JACKSON

Case Number: 1:11-cv-00006

Filer: JOHN JOHNSON

Document Number: 1

Docket Text:

Second MOTION for Preliminary Injunction to Cease and Desist by JOHN JOHNSON. Responses due by 9/16/2011 (Attachments: # (1) Exhibit A)(attorney14, )

1:11-cv-00006 Notice has been electronically mailed to:

attorney14 ECF@ncmd.uscourts.gov

1:11-cv-00006 Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

ECT:11/08/4:00:00 Stamp: ID=10010145300 ID=2002/2011 ECF#Number=76953 03

- Note:** The **Notice of Electronic Filing** represents your Certificate of Service. The Court strongly urges you to copy it to a file on your computer hard-drive, print it, and retain a hard copy in your personal files.

- North Carolina Middle District Court

---

filer's responsibility to serve hard copies of the pleading **and** the **Notice of Electronic Filing** to attorneys and parties who are not set up for electronic notification.

## E-Mail Notification of Documents That Were Filed

After a pleading is electronically filed, the ECF System sends a **Notice of Electronic Filing** to the designated attorneys and parties who have supplied their E-mail addresses to the Court. Individuals who receive electronic notification of the filing are permitted one "free look" at the document by clicking on the associated hyperlinked document number embedded in the **Notice of Electronic Filing**. If the document is a sealed document, a party who has authorization to view the document must re-login to CM/ECF (not PACER) before viewing the sealed document. The filer is permitted one free look at the document when they receive their **Notice of Electronic Filing** for that filing. (It is suggested that you note the document number assigned on your copy of the PDF file residing on your hard drive.). The Court strongly urges you to copy the **Notice of Electronic Filing** and pleading documents to your hard-drive for future access. Subsequent retrieval of the case docket sheet and pleading from CM/ECF must be made through your PACER account and is subject to regular PACER fees.

<p><b>Note:</b> It is the responsibility of filers to send hard copies of the pleading and <b>Notice of Electronic Filing</b> to attorneys and pro se parties who have indicated they <i>do not</i> have E-mail accounts.</p>
---

## 8. Criminal Events Feature - Filing Documents for Criminal Cases

There are eleven basic steps involved in filing a criminal document:

- a. Select the type of document to file (see Attorney Event Menu).
- b. Enter the case number in which the document is to be filed.
- c. Designate the defendant that the filing relates to.
- d. Designate the party filing the document.
- e. Specify the PDF file name and location for the document to be filed.
- f. Adding attachments, if any, to the document being filed.
- g. When attachments and documents are in paper form.
- h. Modify docket text as necessary.
- i. Submit the pleading to ECF.
- j. Notice of Electronic Filing
- k. Receive notification of electronic filing.

After successfully logging into ECF, follow these steps to file a pleading.



## Select the type of document to file.

Select **Criminal** from the blue menu bar at the top of the ECF screen. The Criminal Event window opens displaying all of the events from which you may choose for your filing. This section of the User's Manual describes the process for filing a **Motion** in ECF. The process is similar for filing other pleadings in ECF.

Click on **Motions**, under **Motions and Related Filings**.

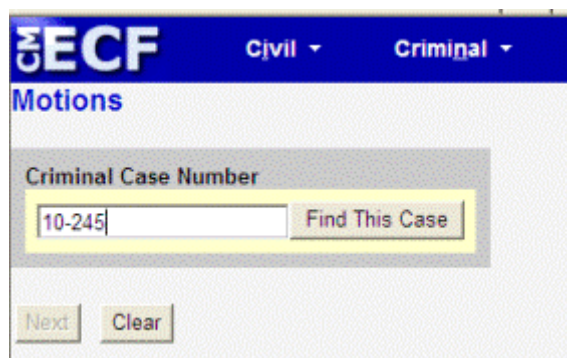
Figure 8.1



## Enter the case number in which the document is to be filed.

A new Motions screen opens with a Case Number field. Enter the number of the case for which you are filing a motion and click **[Find This Case]**.

Figure 8.2





---

**Note:** if the case number you are working on is 1:10cr245, you could enter the case number in any of the following formats:

**10-245**

**10cr245**

**1:10-cr-245**

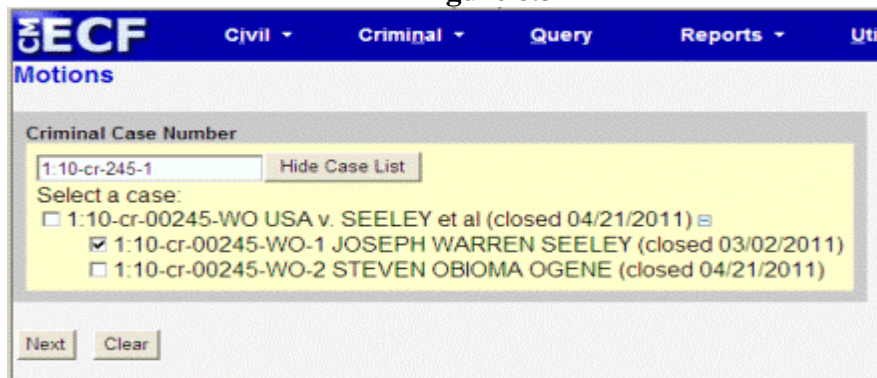
**1-10-cr-245**

**1:10cr245**

- If the number is entered incorrectly, click **[Clear]** to re-enter. If the computer prompts that you entered an invalid case number, click **[Back]** to re-enter.
- When the case number is correct, click on **[Next]**.

**Designate the defendant(s) that the filing relates to.**

**Figure 8.3**

The screenshot shows the ECF Motions interface. At the top, there are tabs for Civil, Criminal, Query, Reports, and Util. Below these, the 'Motions' section is active. A 'Criminal Case Number' field contains '1:10-cr-245-1' and a 'Hide Case List' button. Below this, a 'Select a case:' section lists three options: '1:10-cr-00245-WO USA v. SEELEY et al (closed 04/21/2011)' with an unchecked checkbox, '1:10-cr-00245-WO-1 JOSEPH WARREN SEELEY (closed 03/02/2011)' with a checked checkbox, and '1:10-cr-00245-WO-2 STEVEN OBIOMA OGENE (closed 04/21/2011)' with an unchecked checkbox. At the bottom of the selection area are 'Next' and 'Clear' buttons.

Click in the boxes to place a check next to each defendant's name that this filing relates to. If it relates to all defendants in the case, check the box for "All Defendants" and leave the other boxes unchecked. When finished selecting defendants, click **[Next]**.

**Designate the party(s) filing the document.**

Figure 8.4

The screenshot shows the ECF Motions screen for case 1:10-cr-00245-WO USA v. SEELEY et al, which is closed on 04/21/2011. On the left, there is a list of parties with expand/collapse icons: USA [pla], JOSEPH WARREN SEELEY (T) [dft], and STEVEN OBIOMA OGENE (T) [dft]. On the right, under 'Select the filer.', there is a 'Select the Party:' dropdown menu. The menu is open, showing three options: USA [pla], SEELEY, JOSEPH WARREN (T) [dft] (which is highlighted), and OGENE, STEVEN OBIOMA (T) [dft]. Below the dropdown are 'Next' and 'Clear' buttons.

Highlight the name of the party or parties filing the motion. Click [Next].

Check the box on the left of the screen for associations which should be created, if applicable and click [Next].

Figure 8.5

The screenshot shows the ECF Motions screen with instructions: 'The following attorney/party associations do not exist for the above case(s). Please check the box on the left of the screen for associations which should be created. If the association should not be created, be sure the box is unchecked<'. Below this, there is a checkbox for 'JOSEPH WARREN SEELEY (pty:dft) represented by JPC (aty)' which is checked, followed by an unchecked checkbox for 'Lead' and a checked checkbox for 'Notice'. At the bottom are 'Next' and 'Clear' buttons.

The **Motions** screen appears and displays a motion selection field with a scroll bar next to it. Scroll through the menu until you find the type of motion or application you wish to file.

---

For demonstration purposes, highlight **Suppress** and click [Next].

**Figure 8.6**

The screenshot shows the ECF (Electronic Case Filing) interface. At the top is a blue navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, Search, and Log. Below the navigation bar, the page title is 'Motions' followed by the case name '1:10-cr-00245-WO USA v. SEELEY et al' and the status 'CASE CLOSED on 04/21/2011'. A search box with the placeholder text 'Start typing to find another event.' is located below the case information. The main area is divided into two columns: 'Available Events (click to select events)' and 'Selected Events (click to remove events)'. The 'Available Events' list includes: Speedy Trial, Status Conference, Stay, Stipulated Motion, Strike, Subpoena of Witness At Government Expense, Substitute Attorney, Supplement, Supplemental Amended Motion - Defendant, Supplemental Amended Motion - Government, **Suppress** (highlighted in blue), Take Deposition, Temporary Restraining Order, Transcript, and Transfer Case. The 'Selected Events' list currently contains 'Suppress'. At the bottom of the 'Available Events' list are 'Next' and 'Clear' buttons.

**Note:** To select more than one motion, press and hold down the **Ctrl** key, and click on each of the desired multiple forms of relief.

### **Specify the PDF file name and location for the document to be filed.**

ECF accepts the party or parties you selected and refreshes the screen to display a new **Motions** screen depicted below. ECF displays a field for locating and entering the PDF file of the document (pleading) you are filing in ECF.

**Note:** It is imperative that you attach an electronic copy of the actual pleading when prompted by the system. All documents that you intend to file in ECF **MUST** reside in **PDF** format. Otherwise, ECF will not accept the document and users will be unable to retrieve and read your document from within ECF.

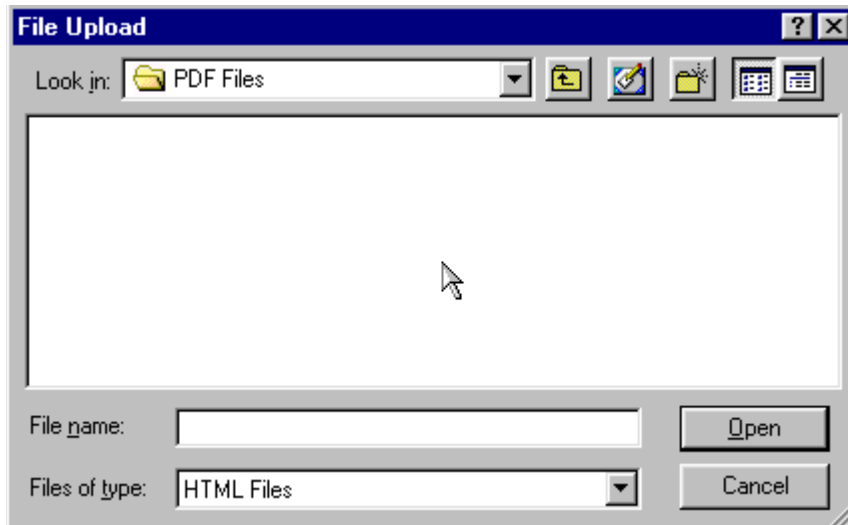
Figure 8.7

The screenshot shows the ECF (Electronic Case Filing) interface. At the top is a blue navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, Utilities, and Search. Below the navigation bar, the page title is "Motions". The case information is "1:10-cr-00245-WO USA v. SEELEY et al" and the status is "CASE CLOSED on 04/21/2011". A prompt says "Select the pdf document and any attachments." Under the "Main Document" section, there is a text box containing "N:\10CR245-1-motion-suppress.pdf" and a "Browse..." button. Below this is a table for "Attachments". The table has three columns: "Attachments", "Category", and "Description". There are two rows. The first row has "1. N:\Subpoena.pdf" in the Attachments column, "Exhibit" in the Category column, and an empty text box in the Description column. The second row has "2." in the Attachments column, an empty text box in the Category column, and an empty text box in the Description column. Each row has a "Browse..." button. To the right of the second row is a "Remove" button. At the bottom of the form are "Next" and "Clear" buttons.

Attachments	Category	Description
1. N:\Subpoena.pdf	Exhibit	
2.		

- Click [**Browse**]. ECF opens the following screen.

Figure 8.8



- 
- Change the **Files of type** from:

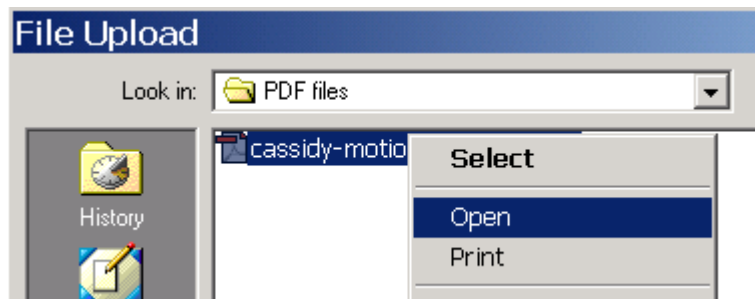


to:



- Navigate to the appropriate directory and file name to select the PDF document you wish to file.
- Highlight the file to upload to ECF.

**Note:** In order to verify that you have selected the correct document, right mouse click on the highlighted file name to open a **quick menu** and left mouse click on [**open**]. Adobe Acrobat or Acrobat Reader will launch and open the PDF document that you selected. You should view it to verify that it is the correct document.



- Once you have verified the document is correct, close Adobe Acrobat and click on the [**Open**] button in the lower right corner of the File Upload window. ECF closes the **File Upload** screen and inserts the PDF file name and location in the **Motions** screen.



Figure 8.9

ECF Civil Criminal Query Reports Utilities Search

Motions

1:10-cr-00245-WO USA v. SEELEY et al CASE CLOSED on 04/21/2011

Select the pdf document and any attachments.

Main Document

N:\10CR245-1-motion-suppress.pdf Browse...

Attachments	Category	Description
1. N:\Subpoena.pdf Browse...	Exhibit	A Remove
2. Browse...		

Next Clear

- If there are no attachments to the motion, click **[Next]**. A new **Motions** window opens.
- If you have Attachments to your motion, you will select **[Browse]** on the screen depicted above. Each exhibit to a motion, response or reply should be a separate attachment. Click **[Next]** and proceed to the first step in Section 7, “**Adding Attachments to Documents Being Filed**”.
- In the event you selected and highlighted a file that is *not* in PDF format, ECF will display the following error message after you click **[Next]**.

Figure 8.10

The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a blue navigation bar with the ECF logo and tabs for Civil, Criminal, Query, and Reports. Below the navigation bar, the page title is "Motions". A link for "1:10-cr-00245-WO USA v. SEELEY et al" is displayed, followed by the status "CASE CLOSED on 04/21/2011". An error message states: "ERROR: Document is not a well-formed PDF document (no further information is available). Error File: C:\fakepath\Subpoena.wpd". Below the error message, there is a section titled "Submitted Entries" which contains a table with the following data:

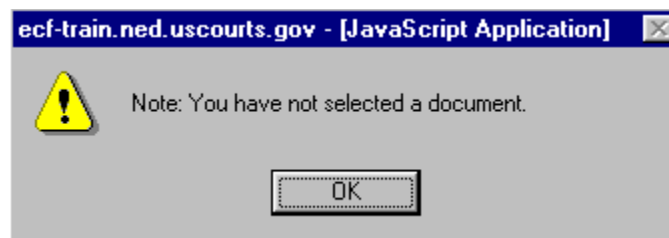
File Type	Filename	Category	Description
Main Document	C:\fakepath\10CR245-1-motion-suppress.pdf	-	-
Attachment #1	C:\fakepath\Subpoena.wpd	Exhibit	A

At the bottom of the table, there is a "Back" button with an arrow pointing to it.

- ECF will not permit you to select a file for your pleading that is not in PDF format.
- Click **[Back]** and ECF will return to the **Motions** screen. Select and highlight the PDF file of your pleading and proceed as before.

#### Failure to Select A Document to File

If you fail to select a document to file with your pleading, ECF will display the error message depicted below.



- If you click **[OK]** from the screen depicted above, ECF will return you to the **Motions** screen. You cannot proceed without attaching a PDF document.



---

## Adding attachments to documents being filed.

Remember each exhibit to a motion, response or reply should be a separate attachment. If you acknowledged the need to attach documents to your motion during the previous step, a new **Motions** screen appears.

- Click [**Browse**] to search for the document file name of the attachment.
- Next to the field for attachment **Category**, click on the arrow and ECF opens a pull-down screen. Highlight the type of attachment from the displayed selection.
- To describe the attachment more fully, click in the **Description** box and type a clear and concise description of the attachment. **Your filing will be considered deficient if you do not perform this task.**

ECF adds the selected document as an attachment to the pleading. A new **Motions** screen opens to display the file name of the newly attached document.

- Repeat the sequence for each additional attachment.
- After adding all of the desired PDF documents as attachments, click [**Next**].
- Accept the default response deadline and click [**Next**].

**Figure 8.11**

The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a blue navigation bar with the ECF logo and tabs for Civil, Criminal, Query, and Reports. Below the navigation bar, the page title is "Motions". The main content area displays the case name "1:10-cr-00245-WO USA v. SEELEY et al" followed by the status "CASE CLOSED on 04/21/2011". Below this, the text "Motion to Suppress" is visible. A section titled "Response Deadline" contains a date field set to "10/27/2011" with a "Calendar" button next to it. At the bottom of this section are two buttons: "Next" and "Clear".

---

## When attachments and exhibits are in paper format

All attachments or exhibits in paper form should be scanned using a scanner and appropriate software for the creation of files in PDF format when possible. Exhibits may be scanned into one or more files (each less than 5 MB in size) and attached for e-filing using the procedure outlined above.

**Tip:** Be sure your scanner is set to black and white for text (unless it is a document that must be filed in color) and is set at a low image resolution, before scanning documents. The Clerk's Office is using a scanner resolution of 300 x 300 in black and white mode.

Attachments or exhibits that cannot be scanned for e-filing may be submitted to the Clerk's Office in paper format. Attorneys may present paper filings using the following method:

E-file a pleading indicating that certain attachments have not been scanned and will be, instead, filed with the clerk. Print the resulting Notice of Electronic Filing (NEF), attach it to the paper exhibits, and submit it to the clerk. Paper attachments submitted in this manner will be considered filed as part of the e-filed pleading.

Note: For moderate length paper attachments, consider dividing them into two or more smaller attachments, scanning, and filing them electronically.

## Modify docket text.

Figure 8.12

ECF Civil Criminal Query Reports Utilities Search

Motions

[1:10-cr-00245-WO USA v. SEELEY et al](#) CASE CLOSED on 04/21/2011

Docket Text: Modify as Appropriate.

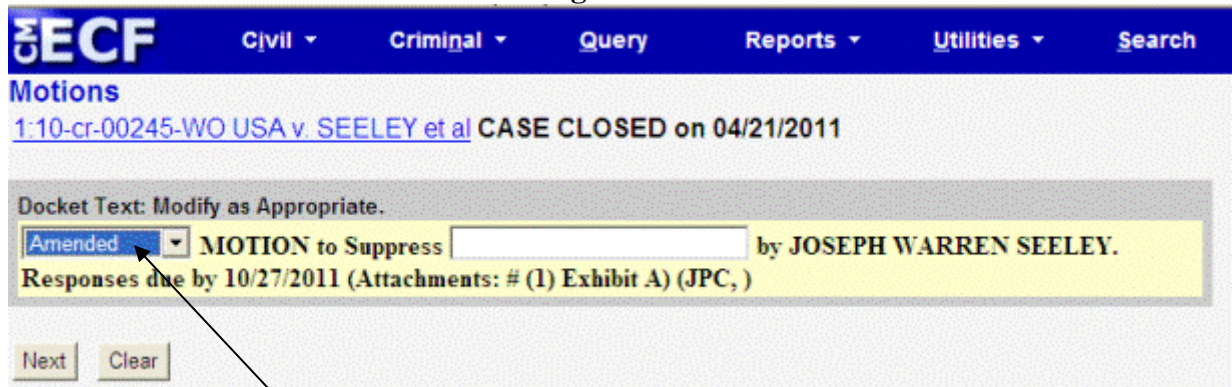
by JOSEPH WARREN SEELEY.

Responses due by 10/27/2011 (Attachments: # (1) Exhibit A) (JPC, )

Next Clear

Click on the button shown here to open a modifier drop-down list. Select a modifier if appropriate.

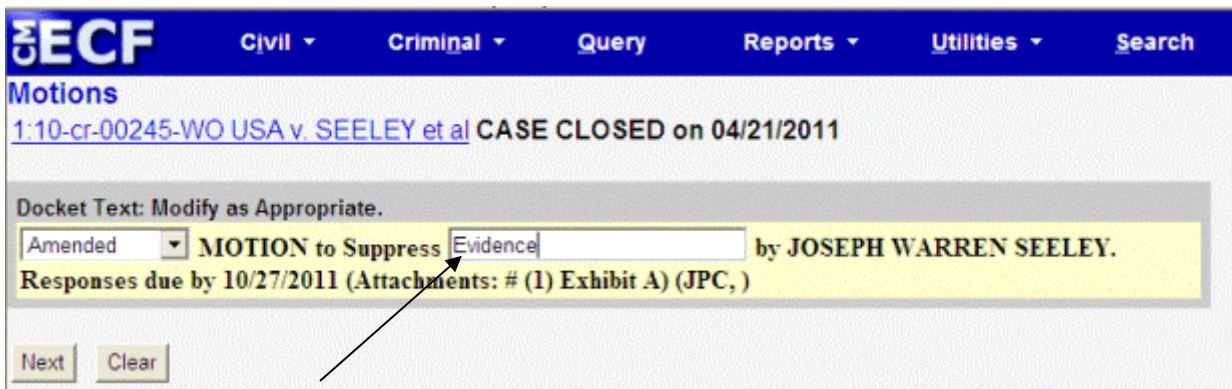
Figure 8.13



The screenshot shows the ECF Motions page for case 1:10-cr-00245-WO USA v. SEELEY et al, which is closed on 04/21/2011. The page has a blue header with navigation links: Civil, Criminal, Query, Reports, Utilities, and Search. Below the header, the page title is 'Motions'. The main content area shows 'Docket Text: Modify as Appropriate.' followed by a form. The form has a dropdown menu with 'Amended' selected, a text input field containing 'MOTION to Suppress', and a text input field containing 'by JOSEPH WARREN SEELEY.' Below the form, it says 'Responses due by 10/27/2011 (Attachments: # (1) Exhibit A) (JPC, )'. At the bottom of the form are 'Next' and 'Clear' buttons. An arrow points to the 'Amended' dropdown menu.

Click in the open text area to type additional text for the description of the pleading.

Figure 8.14



This screenshot is similar to Figure 8.13, but the text input field now contains 'Evidence' instead of 'MOTION to Suppress'. The 'Amended' dropdown menu is still selected. The rest of the page, including the header, case information, and response due date, remains the same. An arrow points to the text input field.

### Submit the pleading.


- Click [Next]. A new **Motions** window appears with the complete text for the docket report.
- Review the docket text and correct any errors. If you need to modify data on a previous screen, click the  button on the Netscape toolbar to find the screen you wish to alter.

Figure 8.15

ECF Civil Criminal Query Reports Utilities Search

Motions

[1:10-cr-00245-WO USA v. SEELEY et al](#) CASE CLOSED on 04/21/2011

Docket Text: Final Text

Amended MOTION to Suppress Evidence by JOSEPH WARREN SEELEY. Responses due by 10/27/2011 (Attachments: # (1) Exhibit A)(JPC, )

**Attention!!** Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

Source Document Path (for confirmation only):  
C:\fakepath\10CR245-1-motion-suppress.pdf pages: 2  
C:\fakepath\Subpoena.pdf pages: 1

Next Clear

- Click **[Next]** to file and docket the pleading.

**Note:** The screen depicted above contains the following warning.

**Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.**

At any time prior to this step, you can abort the ECF filing or return to previous screens by:

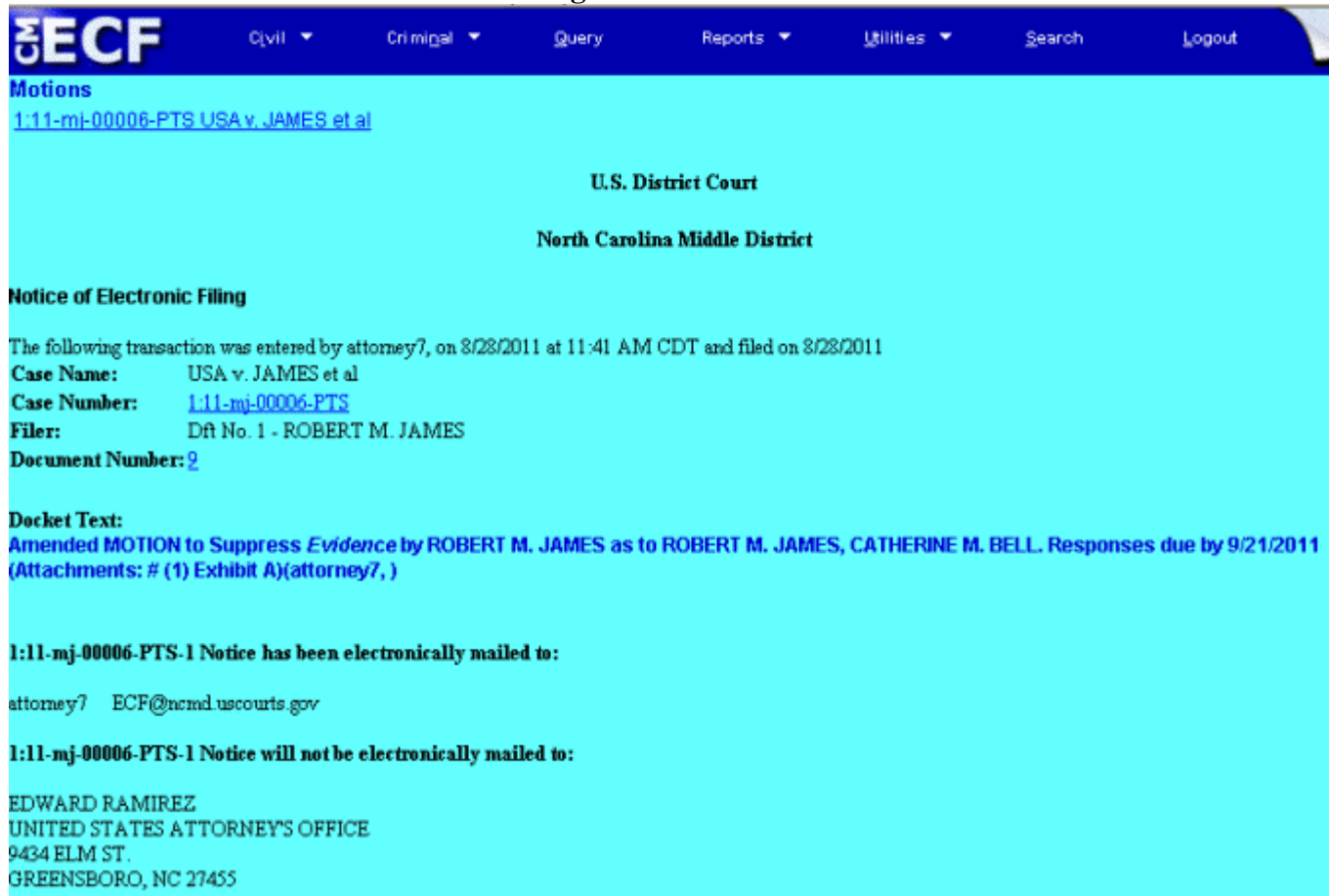
- clicking on any hyperlink on the **Blue** ECF menu bar *to abort* the current transaction. ECF will reset to the beginning of the process you just selected.
- clicking on the Web Browser **[Back]** button until *you return to the desired screen*.

## Notice of Electronic Filing

ECF opens a new **Motions** window displaying an ECF filing receipt as reflected in the example below.



Figure 8.16



- The screen depicted above provides confirmation that ECF has registered your transaction and the pleading is now an official court document. It also displays the date and time of your transaction and the number that was assigned to your document. You should note this number on the document's PDF file.
- Select **[Print]** on the browser toolbar to print the document receipt.
- Select **[File]** on the browser menu bar, and choose **Save Frame As...** from the drop-down window to save the receipt to a file on the hard drive of your computer.

**Note:** The **Notice of Electronic Filing** represents your Certificate of Service. The Court strongly urges you to copy it to a file on your computer hard-drive, print it, and retain a hard copy in your personal files.

- 
- ECF will electronically transmit the **Notice of Electronic Filing** to the attorneys and parties to the case who have supplied their E-mail addresses to the Court. The ECF filing report also displays the names and addresses of individuals who will not be electronically notified of the filing. It is the filer's responsibility to serve hard copies of the pleading and the **Notice of Electronic Filing** to attorneys and parties who are not set up for electronic notification.

## E-Mail Notification of Documents That Were Filed

After a pleading is electronically filed, the ECF System sends a **Notice of Electronic Filing** to the designated attorneys and parties who have supplied their E-mail addresses to the Court. **Only attorneys of record in the case are able to view pleadings in Criminal cases via the internet. Attorneys in multi-defendant cases can only view, via the internet, those filings which relate directly to the party they represent. All other pleadings may be viewed at the courthouse.** If the document was filed as a sealed document, and the filer granted access to applicable parties at the time of filing, these parties would have to log into CM/ECF to view the document. Individuals who receive electronic notification of the filing are permitted one "free look" at the document by clicking on the associated hyperlinked document number embedded in the **Notice of Electronic Filing**. The filer is permitted one free look at the document. The Court strongly urges you to copy the **Notice of Electronic Filing** and pleading documents to your hard-drive for future access. Subsequent retrieval of the case docket sheet and pleading from CM/ECF must be made through your PACER account and is subject to regular PACER fees.

<p><b>Note:</b> It is the responsibility of filers to send hard copies of the pleading and <b>Notice of Electronic Filing</b> to attorneys and pro se parties who have indicated they <i>do not</i> have E-mail accounts.</p>
---

## 9. Obtaining Information from CM/ECF

### Query Feature

Registered participants should use this feature to query the Electronic Case Filing (ECF) system for specific case information. To enter the Query mode, click on **Query** from the **Blue** menu bar of ECF.



ECF opens the **PACER Login** screen. You must enter your **PACER** login and password before ECF permits you to query the ECF database.

**Note:** Your PACER login and password are different from your ECF login and password. You must have a PACER account in order to retrieve, view, and print certain documents. You will be charged a fee to access documents, docket sheets, etc. from ECF.

After you enter your PACER login and password, ECF opens a Query data entry screen as depicted below. If you know the number that the Court has assigned to the case, enter it in the **Case Number** field and click **[Run Query]**. ECF opens the query screen depicted in Figure 9.1 below.

**Figure 9.1**

The screenshot shows the ECF Query screen. At the top is a blue navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, and Logout. Below the navigation bar is the 'Query' title. The main area is a yellow box containing search fields. Under 'Search Clues', there is a 'Case Number' field with '00-101' entered, followed by '(Examples: 99-500, 1:99cv500)' and a 'Def Number' field. Below this is 'or search by' with 'Filed Date' and 'Last Entry Date' fields, each with a 'to' field. Then 'Nature of Suit' is a dropdown menu with options: '0 (zero)', '110 (Insurance)', and '120 (Contract: Marine)'. Below this is 'or search by' with 'Last Name', 'First Name', 'Middle Name', and 'Type' fields. At the bottom are 'Run Query' and 'Clear' buttons.

You may query the ECF database by the name of a party or an attorney to the case. Enter the last name of the party in the appropriate field. If more than one person with that name is in the database, ECF returns a screen from which to select the correct name (Figure 9.2). If you click on the name of the party, ECF will open the query screen depicted in Figure 9.3. If the individual is a party to more than one case, ECF will open a screen listing all of the party's cases. Click on the case number hyperlink and ECF opens the query screen depicted in Figure 9.2 below.



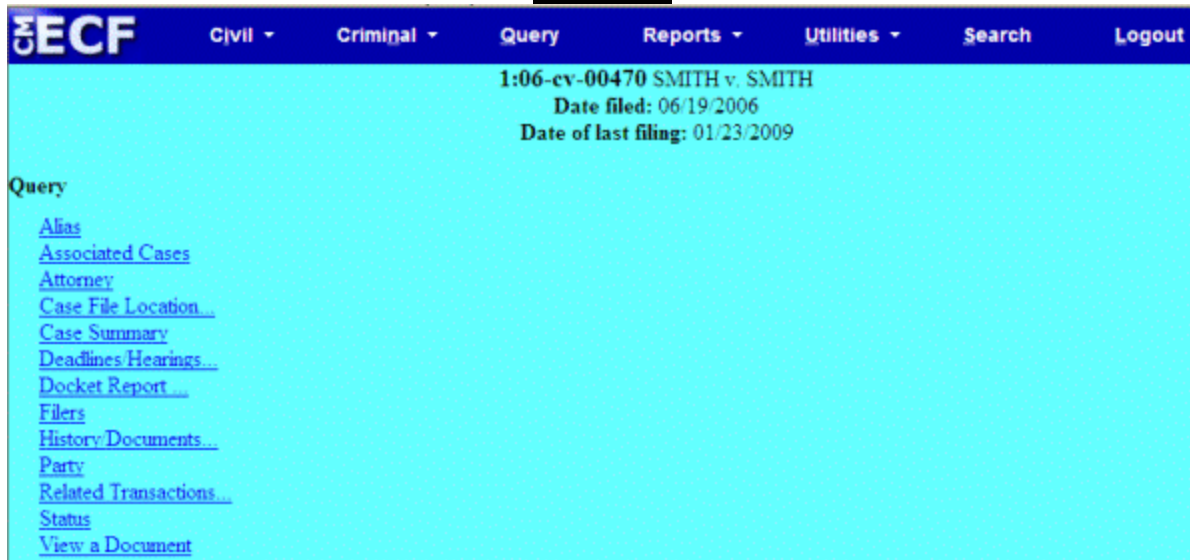
**Figure 9.2**



After querying the database by case number, name, or nature of suit, ECF opens the **Query** window for the specific case you selected. See Figure 9.3.

You may also query a case by the nature of suit. You must enter a range for either the filed date or the last entry date in order for the query to run. To search for all cases of a certain type, use the date 1/1/1970 as the beginning "filed date". When you run the query, if there is more than one case that meets those criteria, you will get a screen similar to the one in Figure 9.2 for the person query, but listing multiple case numbers for the case query.

**Figure 9.3**



At the top of the window, ECF displays the case number, parties to the case, date that the initial claim was filed, and date of last filing for the case. You may choose specific case information from a large list of query options by clicking on the appropriate hyperlinked name on the screen. The following paragraphs describe several of the available case-specific query options.

## **Attorney**

Displays the names, addresses and telephone numbers of the attorneys who represent each of the parties to the case.

## **Case Summary**

Provides a summary of current case-specific information as represented below.

Figure 9.4

ECF		
Civil	Criminal	Query
<p>1:05-cv-00724-JAB -WWD JOHNSON v. MERCK &amp; COMPANY, INC.            JAMES A. BEATY, JR, presiding            WALLACE W. DIXON, referral            Date filed: 08/18/2005            Date terminated: 11/21/2005            Date of last filing: 11/23/2005</p>		
<p><b>Case Summary</b></p>		
<p>Office: NCMD            Jury Demand: Both            Nature of Suit: 365            Jurisdiction: Diversity            County: Durham            Origin: 2            Lead Case:            Related Case:            Def Custody Status:            Flags: 18RA, CLOSED</p>	<p>Filed: 08/18/2005            Demand:            Cause: 28:1332 Diversity-Product Liability            Disposition: Transfer Remand - MDL Transfer            Terminated: 11/21/2005            Reopened:            None            None</p>	<p>Other Court Case: None</p>
<p>Plaintiff: JOHN JOHNSON</p>	<p>represented by JOY RHYNE WEBB</p>	<p>Phone: 919-688-7393            Fax: 919-683-6323            Email: jwebb@carotennlaw.com</p>
<p>Defendant: MERCK &amp; COMPANY, INC.</p>	<p>represented by CRYSTAL BOWIE BAKER</p>	<p>Phone: 336-406-2079            Fax: 336-774-3373            Email: cdbowie@yahoo.com</p>
<p>Defendant: MERCK &amp; COMPANY, INC.</p>	<p>represented by CHRISTOPHER J. BLAKE</p>	<p>Phone: 919-877-3808            Fax: 919-877-3141</p>

## Deadlines/Hearings

This screen allows you to query the database by various means to obtain hearing and other schedule deadlines. If you query as illustrated below, ECF opens the **Deadline/Hearings** screen depicted on the next page.


Figure 9.5



The image shows the ECF (Electronic Case Filing) interface for searching deadlines and hearings. At the top, there are tabs for 'Civil' and 'Criminal'. Below the tabs, the title 'Deadlines/Hearings' is displayed. A 'Sort by' dropdown menu is set to 'Due/Set'. Below this are two empty dropdown menus. There are two checkboxes: 'Pending deadlines/hearings' (checked) and 'Terminated/satisfied deadlines/hearings' (unchecked). At the bottom, there are two buttons: 'Run Query' and 'Clear'.

After the window opens, if you click on a document number, ECF will display the actual Scheduling Order for the conference or hearing.

Figure 9.6



The image shows the ECF interface displaying the results of a search for deadlines and hearings. At the top, the case name '1:10-cv-00587-UA -PTS FRANK LILL & SON, INC. v. CARTER & BURGESS, INC.' is displayed. Below the case name, the text 'UNASSIGNED, presiding' and 'P. TREVOR SHARP, referral' is shown. The 'Date filed: 07/29/2010' and 'Date of last filing: 08/02/2011' are also displayed. The title 'Deadlines/Hearings' is centered. Below the title is a table with six columns: 'Doc. No.', 'Deadline/Hearing', 'Event Filed', 'Due/Set', 'Satisfied', and 'Terminated'. The table contains five rows of data, each with a document number in the first column and a deadline/hearing description in the second column. The document numbers are 1, 8, 12, and 19, which are hyperlinks. The first row has a globe icon next to 'Answer'. The second row has a globe icon next to 'Answer due'. The third row has a globe icon next to 'Response Deadline'. The fourth row has a globe icon next to 'Response Deadline'. The fifth row has a globe icon next to 'Reply Deadline'.

Doc. No.	Deadline/Hearing	Event Filed	Due/Set	Satisfied	Terminated
	Answer	08/25/2010	09/06/2010		
<a href="#">1</a>	Answer due	07/29/2010	09/06/2010		
<a href="#">8</a>	Response Deadline	09/07/2010	10/01/2010		
<a href="#">12</a>	Response Deadline	10/12/2010	11/12/2010		
<a href="#">19</a>	Reply Deadline	11/12/2010	11/29/2010		

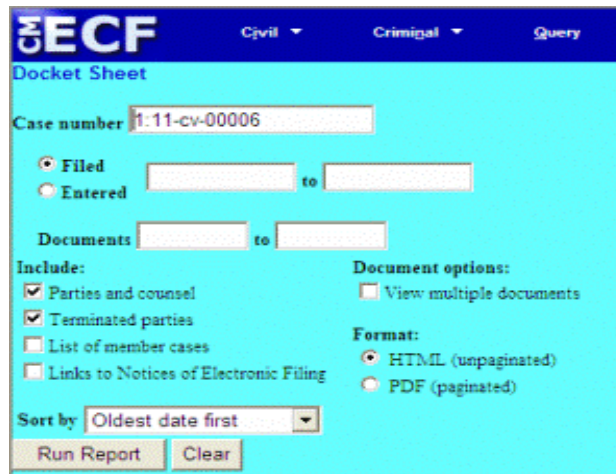
If you click on the button to the left of the Deadline/Hearing title, ECF will display the docket information and related docketing entries for the hearing that you selected.

---

## Docket Report

When you select Docket Report, ECF opens the Docket Sheet screen as depicted below.

Figure 9.7



The screenshot shows the ECF Docket Sheet interface. At the top, there is a blue header with the ECF logo and three tabs: Civil, Criminal, and Query. Below the header, the title "Docket Sheet" is displayed. The main form area is light blue and contains several input fields and checkboxes. The "Case number" field is populated with "1:11-cv-00006". Below this, there are radio buttons for "Filed" (selected) and "Entered", followed by two empty text boxes separated by a "to" label. Further down, there are two more empty text boxes separated by a "to" label, labeled "Documents". To the left, under the heading "Include:", there are four checkboxes: "Parties and counsel" (checked), "Terminated parties" (checked), "List of member cases" (unchecked), and "Links to Notices of Electronic Filing" (unchecked). To the right, under the heading "Document options:", there is one checkbox: "View multiple documents" (unchecked). Below these, under the heading "Format:", there are two radio buttons: "HTML (unpaginated)" (selected) and "PDF (paginated)". At the bottom left, there is a "Sort by" dropdown menu set to "Oldest date first". At the bottom center, there are two buttons: "Run Report" and "Clear".

You may select a date range for your docketing report as well as a range of docketing numbers. If you leave the range fields blank, ECF will default to print the entire docketing report. Place a checkmark in the box **Links to Notice of Electronic Filing** if you wish to view them from the docket sheet. After you have selected the parameters for your report, click [**Run Report**]. ECF will run your custom docketing report and display it in a window as depicted below.



Figure 9.8

ECF			
Civil Criminal Query Reports Utilities Search Logout			
Date Filed	#	Docket Text	
06/19/2006	<a href="#">1</a>	COMPLAINT against CHARLES JOHN SMITH (Filing fee \$ 350.), filed by ARNOLD T SMITH.(student1, ) (Entered: 06/19/2006)	
06/19/2006	<a href="#">2</a>	COMPLAINT against CHARLES JOHN SMITH, filed by ARNOLD T SMITH.(student1, ) (Entered: 06/19/2006)	
01/23/2009	<a href="#">3</a>	Bankruptcy Record on Appeal filed (Part 1). Transmitting copy of docket sheet. The Bankruptcy Court hereby certifies that this is a true and accurate copy of the docket on file. (Attachments: # <a href="#">1</a> 131-Notice of Appeal) (Welch, Kelly) (Entered: 01/23/2009)	
01/23/2009	<a href="#">4</a>	Bankruptcy Record on Appeal filed (Part 2). Transmitting Appellant Designation and Appellee Designation, if applicable. The following documents will be conventionally sent to the District Court: (Attachments: # <a href="#">1</a> 138-Appellee's Designations, # <a href="#">2</a> 120-Motion for Summary Judgment, # <a href="#">3</a> 122-Response to Motion for Summary Judgment, # <a href="#">4</a> 128-Order on Motion for Summary Judgment) (Welch, Kelly) (Entered: 01/23/2009)	
01/23/2009	<a href="#">5</a>	Bankruptcy Record on Appeal filed (Part 1). Transmitting copy of docket sheet. The Bankruptcy Court hereby certifies that this is a true and accurate copy of the docket on file. (Attachments: # <a href="#">1</a> 131-Notice of Appeal) (Welch, Kelly) (Entered: 01/23/2009)	

The document numbers in the middle column are hyperlinks to PDF files of the actual documents. Place your pointer on the button next to the document number and click to display the **Electronic Notification Report** for the document.

## History/Documents

This selection queries the database for case event history and documents associated with the case. After you click on the **History/Documents** hyperlink, ECF opens the screen depicted in Figure 9.9. You may select the sort order for the query report and choose to display all events or only those with documents attached. ECF also offers you the option to display the docket text in the report.

Figure 9.9

After making your selections, click **[Run Query]**. ECF queries the database and builds your report. Figure 9.10 below depicts a portion of a **History/Documents** report. This particular report lists all of the events and documents associated with the case in reverse chronological order. It also displays the docketing text for all docketed events.

**Figure 9.10**

1:11-cv-00148-WO -WWD RENEAU v. UNITED STATES OF AMERICA					
WILLIAM L. OSTEEN JR., presiding					
WALLACE W. DIXON, referral					
Date filed: 02/14/2011					
Date terminated: 06/27/2011					
Date of last filing: 07/07/2011					
History					
Doc. No.	Dates		Description	Private Event	Type Subtype Docket Part ID
<u>1</u>	Filed:	02/14/2011	Application to Proceed IFP		motion applifp 5
	Entered:	02/28/2011			
	Terminated:	02/28/2011			
	Last updated:	03/23/2011			
<u>2</u>	Filed:	02/14/2011	Petition for Writ of Habeas Corpus		cmp pwrithe 7
	Entered:	02/28/2011			
	Filed & Entered:	02/28/2011	Case Referred for Screening		utility screen 9
	Terminated:	06/27/2011			
	Filed:	02/28/2011	Case Assigned Reassigned		utility csasn 18
	Entered:	03/01/2011			

You may view a PDF file of actual documents by clicking on the document number in the far-left column of the onscreen report.

## Other Queries

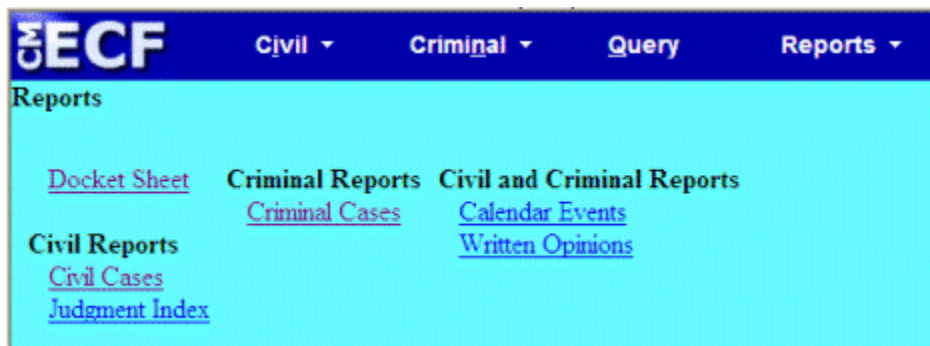
The process for selecting and running other queries in the **Query** feature of ECF is similar to what has been described above.

## Reports Feature

The Reports feature of ECF provides the user with several report options. After selecting the Reports feature from the **Blue** menu bar, ECF opens the **Reports** screen depicted in Figure 9.11 below.



**Figure 9.11**



## Docket Sheet

Click on the **Docket Sheet** hyperlink in Figure 9.11 above and ECF will open the docket Sheet report query window depicted below in Figure 9.12.

**Figure 9.12**

A screenshot of the ECF Docket Sheet query window. The window has a dark blue header with the ECF logo and four navigation tabs: Civil, Criminal, Query, and Reports. The Reports tab is selected. Below the header, the word "Docket Sheet" is displayed. The main area of the window is light blue and contains several input fields and checkboxes. At the top, there is a "Case number" field with the value "1:06-cv-00470". Below this, there are two radio buttons: "Filed" (selected) and "Entered". To the right of these radio buttons are two empty text boxes separated by the word "to". Below these, there is a "Documents" field with two empty text boxes separated by the word "to". Underneath, there are two sections of checkboxes. The "Include:" section has four checkboxes: "Parties and counsel" (checked), "Terminated parties" (checked), "List of member cases" (unchecked), and "Links to Notices of Electronic Filing" (unchecked). The "Document options:" section has one checkbox: "View multiple documents" (unchecked). Below these, there is a "Format:" section with two radio buttons: "HTML (unpaginated)" (selected) and "PDF (paginated)". At the bottom, there is a "Sort by:" dropdown menu with "Oldest date first" selected. Finally, there are two buttons: "Run Report" and "Clear".

This is the same query window that ECF displayed when you selected **Docket Report** from the **Query** feature (Page 62). Enter the case number for your docket sheet in the **Case Number** field. Select parameters for the remainder of the data entry fields and click **[Run Report]**. ECF will display a full docket sheet for the case you selected. See the **Query** feature section of this manual for a depiction of a partial docket sheet report. If you do not need a complete docket sheet, you can narrow the query using the date filed/entered fields. ECF also offers various sorting options from the Docket Sheet query screen.

---

## Civil Cases Report

The **Civil Cases** report provides you with the flexibility to query the ECF database to locate cases electronically filed within a specific date range, or by Nature of Suit and Cause Code. When you click on the **Civil Cases** hyperlink, ECF displays a query screen as depicted below. (Figure 9.13)

**Figure 9.13**

**Civil Cases Report**

Warning: This report is not subject to the 30 page billing cap.  
You will be billed for the total number of pages. If you want to run a report for a single case, you can use the Query Menu or the Docket Report.

Office: Greensboro NCMD

Case type: Civil, Forma Pauperis Pending

Nature of suit: 0 (zero), 110 (Insurance)

Cause: 0 (No cause code entered), 02:0431 (02:431 Fed. Election...)

Jurisdiction: Diversity, Federal Question

Case flags: 18AG, 18BA

Terminal digit(s): 2, 4-7

Filed: 1/1/2008 to 9/7/2011

Sort by: Case Number

Output Format: ☒ Formatted Display, ☐ Data Only

Run Report Clear

☒ Open cases  
☐ Closed cases

Enter the range of case filing dates for your report and select a Nature of Suit or Cause Code, if you wish to narrow your search. If you leave all fields blank, ECF will display a report for all cases opened in ECF. This picture depicts part of a report of all cases filed in ECF at the U.S. District Court from 1/1/2008 to 9/7/2011.

**Figure 9.14**

Civil Cases Report			
U.S. District Court -- North Carolina Middle District Filed Report Period: 1/1/2008 - 9/7/2011			
Case Number/ Title	Case Dates	Days Pending	Notes
<a href="#">1:09-cv-00001</a> v. addf	Case filed: 08/20/2009	748	Cause: No cause code entered NOS: 441 Civil Rights: Voting Office: NCMD Jurisdiction: Federal Question Presider: Unassigned Jury demand: Defendant
<a href="#">1:09-cv-00002</a> v. CAT et al	Case filed: 10/19/2009	688	Cause: 28:1331 Fed. Question: Breach of Contract NOS: 190 Contract: Other Office: NCMD Jurisdiction: Federal Question Presider: Unassigned Jury demand: None
<a href="#">1:09-cv-00003</a> MOUSE v. CAT	Case filed: 10/19/2009	688	Cause: 28:1331 Fed. Question: Breach of Contract NOS: 190 Contract: Other Office: NCMD Jurisdiction: Federal Question

The far-left column of the Cases Filed report contains hyperlinked case numbers. If you click on a particular case number, ECF opens the **Docket Sheet** report window from which you can retrieve the docket sheet for the selected case. Follow the instructions in the previous section for a Docket Sheet report.

## 10. Special Procedures

### Removals

When removing a case from state court, you should:

- 1) Scan any state court documents being filed that do not exist in electronic format and with a maximum size of 45 pages. Documents larger than that shall be broken down into sub-parts. Each document should be scanned separately. Any state court document which is 45 pages or longer and which would have to be scanned should be treated as a lengthy exhibit.
- 2) Also provide the clerk with a paper copy of the notice of removal, civil cover sheet, and any state court documents filed.

---

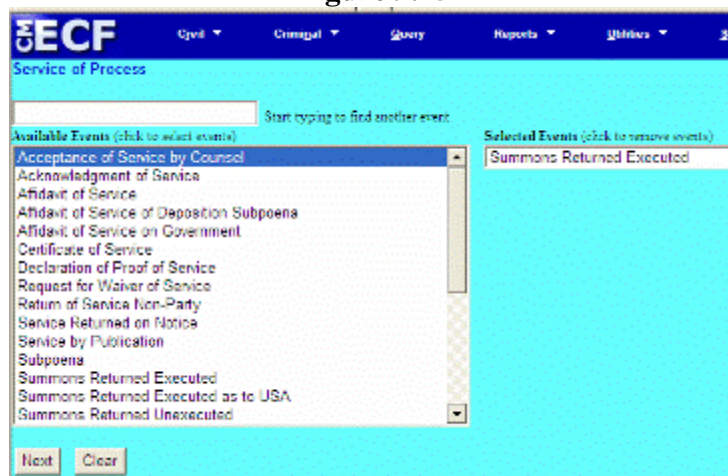
## Return of Service

When an executed summons or waiver of service is docketed, CM/ECF will automatically enter the date an answer is due based upon the date party was served. The default settings are 21 or 60 days as to the USA. If the case is one where a different amount of time in which to answer is permitted by statute, rule or court order, the date set by CM/ECF may not be accurate. If the date of service is not entered correctly, the date set by CM/ECF will not be accurate. It is the date an answer is due under a statute, rule or order that controls. Reliance upon the date set by the system does not excuse a late filing.

The following variations to the basic steps of electronic filing will occur when you are filing an executed return of service:

- A return of service should be filed by counsel, not submitted directly to the Court by a private process server. The only occasion when a return is filed directly with the Court is if the U.S. Marshal was directed to make service.
- A return of service is almost always in paper format and will need to be scanned. It is the responsibility of the filing party to maintain the original paper version at least until the conclusion of any appeal or expiration of the time for filing an appeal. The original paper version must be made available for inspection at the request of the Court or any other party.
- If you are filing a return for a party who was served with a 21-day summons, choose “summons returned executed” from the drop down menu. If you are filing a return for a party who was served with a 60-day summons, choose “summons returned executed as to USA” from the drop down menu.

**Figure 9.15**



- After selecting the party on whose behalf you are filing, you will be prompted to select the party who was served.

**Figure 9.16**

Service of Process:  
1:11-cv-00006 JOHNSON v. JACKSON

WARNING! If service has been made on an individual/entity other than a named defendant please enter that information in the text box for the docket entry. Do not add them as a party to the action.

Type of return

Name of person served

Pick Party

Collapse All Expand All

JOHN JOHNSON pla

JANE JACKSON dft

Select the party SERVED

Select the Party: OR Select a Group:

JOHNSON, JOHN [pla]

JACKSON, JANE [dft]

☐ No Group

☐ All Defendants

☐ All Plaintiffs

- You will be prompted to enter date of service.

**Figure 9.17**

ECF Civil Criminal Query Reports

Service of Process:  
1:11-cv-00006 JOHNSON v. JACKSON

Enter date served and date answer is due

Party	Claim	Date served	Date answer due
JANE JACKSON - Complaint (filed 08/23/2011)		9/6/2011	

Next Clear

- You should **not** enter the date the answer is due. Click [Next] and proceed as you would to file any other document.

## Answers

If you are a registered CM/ECF user, you may electronically file an answer in a civil case that is subject to electronic filing. If you are not yet a registered user, you may file an answer by submitting a PDF version of the answer. To electronically file an answer follow the steps below.

**Step 1:** Log into the CM/ECF system and click on Civil on the main menu bar.

**Step 2:** The system will display the Civil Events screen. Click on Answers to

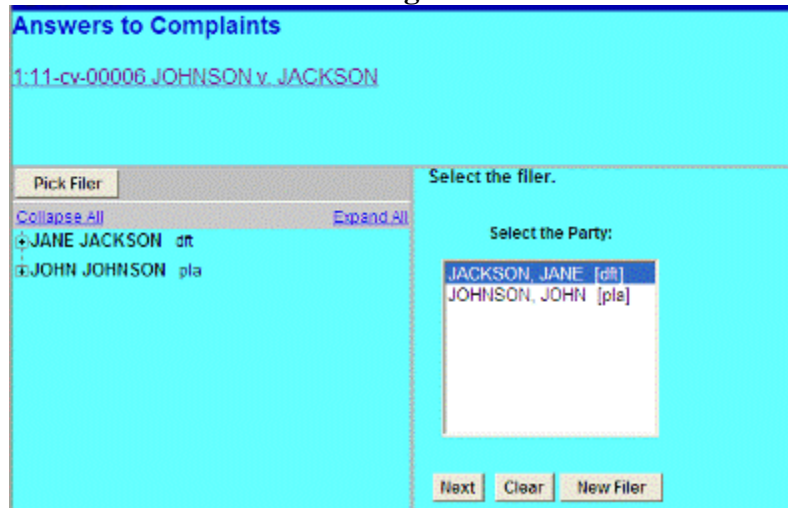
---

Complaints.

**Step 3:** You will be prompted to enter the case number of the case in which the answer is to be filed. After entering the number click Next.

**Step 4:** The system will display the select filer screen.

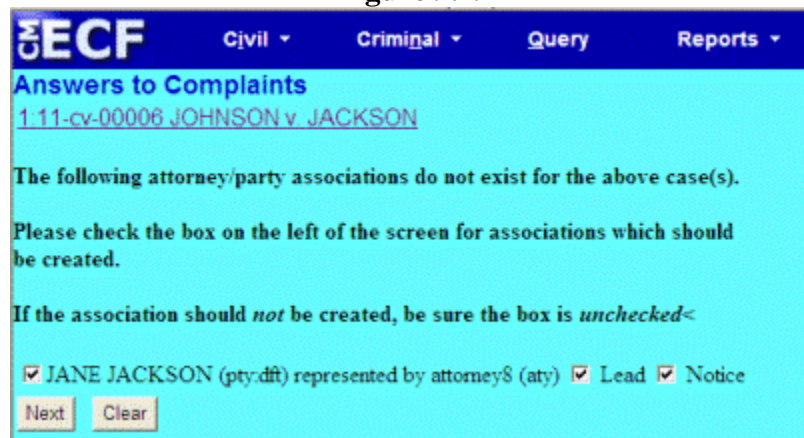
**Figure 9.18**



Click on the name of the party on whose behalf you are filing the answer. If you are filing on behalf of more than one party, you may select multiple parties by holding down the control (Ctrl) button while clicking on the parties. Once the party or parties has been selected, click on Next.

**Step 5:** If this is the first document you have filed in the case, you will be prompted to electronically enter your appearance via the create attorney/party association screen.

**Figure 9.19**



The screen displays the names of all parties on whose behalf you indicated you were filing the answer. To enter your appearance, click on the boxes in front of



the name(s) of the party(ies) you are representing and then click [Next].

Note: You cannot enter the appearance of an attorney other than the one whose login and password is being used. If a party is represented by more than one attorney who is a registered ECF user, all additional counsel who want to be associated with the case will electronically file his/her own notice of appearance by using his/her assigned login and password.

**Figure 9.20**

Include	Date	#	Docket Text
<input checked="" type="checkbox"/>	08/23/2011	3	COMPLAINT against JANE JACKSON, filed by JOHN JOHNSON. (attorney7, )

**Step 6:** The system will display the complaint selection screen. This screen lists the docket entries for all complaints, counterclaims, cross-claims and third party complaints for which an answer is still due.

Click the check box next to the pleading that you are answering, and then click [Next].

**Step 7:** The system will display the select document screen. Select your PDF answer as detailed supra and click [Next].

**Step 8:** The system will prompt you to indicate whether the answer includes a counterclaim, cross-claim, or third party complaint. It will show you whether any other parties have requested a jury trial. If you wish to request a jury trial, you may do so in Step 11.

**Figure 9.21**

☐ Does this filing include a **counterclaim** ? (If yes, click on the box)


☐ Does this filing include a **cross-claim** ? (If yes, click on the box)

☐ Does this filing include a **third-party** complaint? (If yes, click on the box)

If your answer includes a counterclaim, cross-claim, or third party complaint, click on the appropriate check box(es). If the answer does not include any of these, leave the check boxes blank. Then click [Next].

**Step 9:** If you checked that you are filing a counterclaim, cross-claim, or third party complaint, you will be prompted to select the party against whom you are filing.

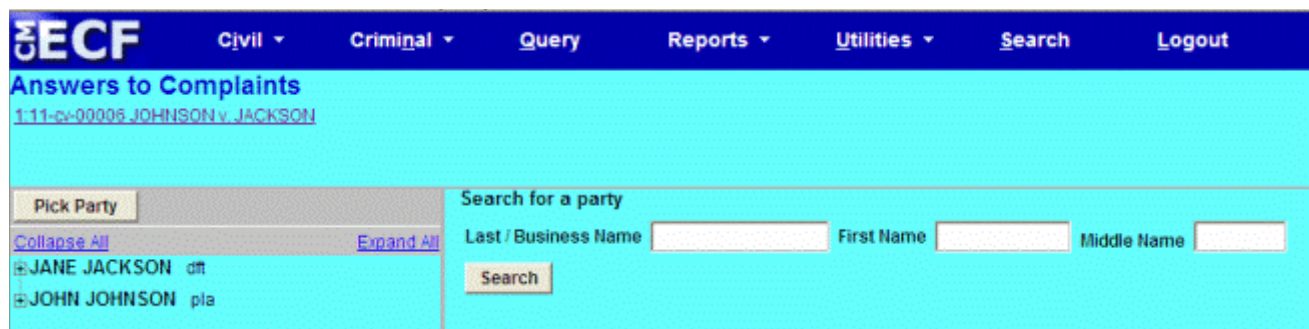
Figure 9.22



If you are filing against a party already in the case, select the party from the list and click [Next]. If the party is not on the list, click [Create New Party].

**Step 10:** When creating a new party you will first be prompted to search the system for the party. Note: A party not already in your case may be in the system because they were a party to an earlier action.

Figure 9.23



If the party is a person, type in his or her last name. If it is a business or other entity, type in the name.

**Helpful Hint:** You do not have to enter a full name. Typing the first few letters will bring up a list of all names in the system that begins with those letters.

---

If the name you typed in matches any names in the system, the next screen will display a list of the names that match.

**Figure 9.24**

The screenshot shows a web application interface titled "Answers to Complaints" with a sub-header "1:11-cv-00005 JOHNSON v. JACKSON". On the left, there is a "Pick Party" section with a "Collapse All" link and an "Expand All" link. Below these links, a list of parties is displayed: "JANE JACKSON dft" and "JOHN JOHNSON pla". On the right, there is a "Search for a party" section with three input fields: "Last / Business Name" (containing "SMITH"), "First Name", and "Middle Name". A "Search" button is located below these fields. Below the search fields, there is a "Search Results" section displaying a list of names: "SMITH", "SMITH, ARNOLD T", "SMITH, CHARLES JOHN" (highlighted), "SMITH, CYLYNDIA", "SMITH, DAVID C.", and "SMITH, DAVID CLARK, JR". At the bottom of the search results, there are two buttons: "Select Party" and "Create New Party".

If the name of the party you wish to add is on the list, click on their name to highlight it and click [**Select Party**].

If after searching for a party the system finds no matches or no one on the list matches the party you wish to add, click [**New party**]. This will bring up the party information screen.

Figure 9.25

The screenshot displays the 'Answers to Complaints' interface. At the top, there is a navigation bar with links: Civil, Criminal, Query, Reports, Utilities, Search, and Logout. Below this, the page title is 'Answers to Complaints' with a sub-header '1:11-cv-00008 JOHNSON v. JACKSON'. The main content area is divided into two sections. On the left, under 'Pick Party', there is a list of parties: JANE JACKSON (dft) and JOHN JOHNSON (pla). On the right, the 'Party Information' form is visible. It contains the following fields: Last name (SMITH), First name (POOGE), Middle name, Generation, Title, Role (Defendant (dft:pty)), Pro se (No), Prisoner Id, Unit, Office, Address1, Address2, Address3, City, State, Zip, Country, Prison, Phone, and Fax. There is also a checkbox labeled 'Show this address on the docket sheet'.

The system will automatically fill in the last name field with the name for which you searched. If the party is a person, fill in his or her first name. If the party is a business, agency or other entity, do not fill a first name. Put the full name of the business or other entity in the last name field. Do not fill in an address, phone number or e-mail address for any party.

As a default setting, the system lists the role of a new party as defendant. If this is not correct, click on the down arrow at the right of the role box. This will bring up a drop down list of the various party types.

Scroll through the list until you find the correct party type and click on it and click [Submit].

You will then be returned to the select party screen.

Figure 9.26

Pick Party

[Collapse All](#) [Expand All](#)

JANE JACKSON dft

JOHN JOHNSON pla

POOGIE SMITH dft

Alias

Corporate Parent or other affiliate

Attorney

Select from the following list the party(s) against whom you are filing this Third-Party Complaint.

Select the Party: OR Select a Group:

JACKSON, JANE [dft]

JOHNSON, JOHN [pla]

SMITH, POOGIE [dft]

☐ No Group

☐ All Defendants

☐ All Plaintiffs

☐ All Parties

Next Clear New Party

Select the party against whom you are filing by clicking on their name and click [Next].

**Step 11:** You now have the opportunity to update the jury demand information.

Figure 9.27

ECF

Civil Criminal Query

Answers to Complaints

[1:11-cv-00006 JOHNSON v. JACKSON](#)

Does this Answer include a jury demand?

☒ Yes

☐ No

Next Clear

Select “yes” or “no” and click [Next].

**Step 12:** The system will display the text of the docket entry that will be made.



Figure 9.28

ECF Civil Criminal Query Reports Utilities Search Logout

Answers to Complaints

1:11-cv-00006 JOHNSON v. JACKSON

Docket Text: Modify as Appropriate.

ANSWER to [3] Complaint with Jury Demand ,

THIRD PARTY COMPLAINT against POOGIE SMITH by JANE JACKSON.  
(attorney8, )

Next Clear

**Step 13:** The system now displays the final warning screen. If you are satisfied with the entry, click [Next].

**Step 14:** If you added a party for whom a summons must be issued, do not electronically file the summons. Counsel should complete the summons(es) in **Adobe interactive format** (located in our forms directory at our website) and e-mail it to [newcases@ncmd.uscourts.gov](mailto:newcases@ncmd.uscourts.gov). The Clerk's Office will sign, date and seal the summons(es) and will e-mail it back to the attorney who initiated the action. Counsel should print the summons(es) for service. Attorney filers will receive an NEF that summons have been issued.

## Cross-claims, Counterclaims, and Third Party Complaints

The system allows for the filing of cross-claims, counterclaims, and third party complaints as separate documents. To file these documents, follow the general instructions in section 3 and if you are adding another party, the instructions for adding parties in **add/create a new party** (pg. 29).

## Disclosure of Corporate Interest

To file a Disclosure of Corporate Interest, click on Other Documents, and choose Disclosure of Corporate Interest from the drop down menu. You will have the opportunity to add language after you attach your disclosure.

## Motions

To file a motion follow the general filing instructions in section 7. **You may only file a multi-part motion for a motion to dismiss or in the alternative motion for summary judgment.** This is accomplished by holding down the control (Ctrl) key while selecting the names of more than one motion from the drop down menu.



---

Exhibits, motions/documents needing permission of the Court for filing and proposed orders should be filed as attachments to the motion.

## Motion for Leave to Amend

When filing a motion for leave to file an amended pleading, the proposed amended pleading should be electronically filed as an attachment to the motion for leave to file amended pleading. If the motion is granted, you should then file the amended pleading in the system.

## Exhibits

Exhibits should be filed as attachments to the document to which they relate. See Section K of the Electronic Case Filing Administrative Policies and Procedures for information on filing attachments. **Each** exhibit should be a **separate** attachment in PDF format. An exhibit that exists only in paper format should be scanned. The 45-page limit is per exhibit, it is not cumulative. Larger documents should be broken into sub-parts. For example, Exhibit 7 Part 1, Exhibit 7 Part 2, Exhibit 7 Part 3, etc.

If you are filing a transcript as an exhibit, you can convert it to PDF by opening it using your word processing program, and then converting it to PDF using whichever method you normally use.

## Proposed Orders

If you are submitting a proposed order along with a motion, the proposed order should be emailed to the appropriate District Judge or Magistrate Judge. Please see the Electronic Case Filing Administrative Policies and Procedures Manual for details. It is very important that the proposed order be a separate WordPerfect compatible document. If you are submitting a proposed order without a motion, for example a joint proposed confidentiality order, from the Main Civil menu choose Notices, and click on Notice (other) on the drop down menu.

## Responses and Replies

To file a response to a motion or a reply to a response, follow the general filing instructions in filing documents choosing Responses and Replies from the main civil menu.

After you select your document, the system will show a list of all pending motions and prompt you to check which motion(s) your response or reply relates

---

to. Click on the applicable box(es) and continue as you would for filing any document.

## Certificate of Service

When you are required by statute, federal or local rule to serve a document, other than original process, on a party who is not a registered CM/ECF user, you are required to serve it in accordance with Fed. R. Civ. P. 5, and to electronically file a certificate of service with the Court. The certificate of service may be filed as a part of the document or as a separate document.

a) **As a Part of the Document - Before** converting your document to PDF and filing it electronically, check to see which parties will not be electronically noticed. Click on **Utilities, Mailing Info for a Case**, and enter your case number. The system will show who will be electronically noticed and who will not. You can copy and paste the names of the parties who will be electronically noticed to a label maker.

Add a traditional certificate of service to your document, stating specifically whom copies were mailed to (or served by other means). It is not sufficient to state that copies will be mailed to any party not electronically noticed. Then file your document as outlined in Section E of the Electronic Case Filing Administrative Policies and Procedures Manual.

b) **As a Separate Document -** If you do not know that a party will not be electronically noticed until after you file your document and see the notice of electronic filing, you can create and file a separate notice of service. A sample certificate of service is contained in the Electronic Case Filing Administrative Policies and Procedures Manual forms' section.

Create a certificate of service in your word processing program and convert it to PDF. To file the certificate of service, click on **Civil, Service of Process**, and choose **Certificate of Service** from the drop down menu.

## Appeals

1) **Filing** - A notice of appeal should be filed electronically as is outlined In Filing Documents for Civil Cases at page 25 and for Criminal Cases at page 43. It is not necessary to provide the court with paper copies of the certificate of service on the parties. The electronic notice constitutes the copy the clerk is required to serve under Fed. R. App. P. 3(d).

2) **Fees** - If you are filing a motion for leave to appeal **in forma pauperis**, it should be

---

electronically filed immediately after filing the notice of appeal. If you are paying the fee, it must be remitted to the Clerk's office within 24 hours (excluding weekends, holidays, and days the court is closed) of filing the notice of appeal.

- 3) **Briefs** - If you are appealing to the United States Court of Appeals for the Fourth Circuit or to the Federal Circuit, do **not** electronically file copies of your brief with this court. Briefs may be electronically filed with this court only in cases where the appeal is to a district judge.
- 4) **Filing an Electronic Appendix for Appeals from NCMD to Fourth Circuit Court of Appeals**

a) **Overview**

The United States Court of Appeals for the Fourth Circuit requires counsel to file the appeal appendix in electronic form. For cases filed in the Middle District of North Carolina, attorneys can create an appendix in CM/ECF from the district court docket. This feature will enable attorneys to electronically select and add specific docket entries to your appeal appendix. These documents will then be included in your appellate filing. Please note that, in order to create an electronic appendix, users must log in to district court CM/ECF to utilize the Create Appendix functionality. PACER users do not have access to "Create Appendix".

To begin this process, a "Create Appendix" box (highlighted) should be selected when generating a docket sheet (see Create Docket Sheet screen shot below). When the "Create Appendix" box is selected, you will be given an opportunity to select the appropriate documents and download the appendix in PDF format. Listed below are CM/ECF user procedures for creating the appendix within NCMD CM/ECF. We have also added a link at the end of this section that takes a user to the Fourth Circuit's Electronic Appendix Instructions to create and file an appendix in appellate CM/ECF. This requires the filing attorney to login to Appellate CM/ECF via his/her PACER account.

b) **Creating An Electronic Appendix From the District Court Docket**

1. Log into the NCMD CM/ECF application.
2. Select **Reports**.
3. Select **Docket Sheet**.
4. Enter the district court case number.

5. Select **Find This Case**. If more than one case is returned, select the correct case.

6. Under document options, select **Create Appendix**.

CM/ECF Civil Criminal **Query** Reports Utilities Search Logout

Docket Sheet

Case number 11-123 Find This Case

☒ Filed  to   
☐ Entered  to

Documents  to

**Include:**  
☒ Parties and counsel  
☒ Terminated parties  
☒ List of member cases  
☒ Restricted entries  
☒ Links to Notices of Electronic Filing

**Document options:**  
☒ Include headers when displaying PDF documents  
☐ View multiple documents  
☐ Create Record on Appeal  
☒ Create Appendix

**Abridged docket report:**  
☐ Create abridged docket report

**Format:**  
☒ HTML (unpaginated)  
☐ PDF (paginated)

Sort by Oldest date first

Run Report Clear ☐ Make these options my default Schedule this to run

7. Select **Run Report**.

8. The docket sheet will open.

9. Select the documents for the appendix by checking the box next to the docket number.

10. After selecting all appendix documents, you can rearrange the order of the documents by entering numbers in the *Sort Order* column.

Date Filed	#	clear	Sort Order	Docket Text
08/31/2009	1	<input checked="" type="checkbox"/>		INDICTMENT as to XAVIER TROUMONE MARTIN (1) count(s) 1. (Lapira, Sharon) (Entered: 09/01/2009)
09/01/2009	2	<input type="checkbox"/>		Arrest Warrant Issued in case as to XAVIER TROUMONE MARTIN. (Lapira, Sharon) (Entered: 09/01/2009)
09/18/2009		<input type="checkbox"/>		Arrest of XAVIER TROUMONE MARTIN on 9/18/2009. (Boden, Barbara) (Entered: 09/18/2009)
09/18/2009		<input type="checkbox"/>		Minute Entry for proceedings held before MAG/JUDGE DONALD P. DIETRICH:Initial Appearance as to XAVIER TROUMONE MARTIN held on 9/18/2009. Proceedings Recorded. (Tape #09D-61.) (Garrett, Kim) (Entered: 09/21/2009)
09/18/2009		<input type="checkbox"/>		Oral Motion Re: Detention by USA as to XAVIER TROUMONE MARTIN. (Garrett, Kim) (Entered: 09/21/2009)
09/18/2009	3	<input type="checkbox"/>		***SEALED FINANCIAL AFFIDAVIT by XAVIER TROUMONE MARTIN (Garrett, Kim) (Entered: 09/21/2009)
09/18/2009	4	<input type="checkbox"/>		WAIVER of Right to Appointed Counsel by XAVIER TROUMONE MARTIN for initial appearance only. (Garrett, Kim) (Entered: 09/21/2009)
09/18/2009	5	<input checked="" type="checkbox"/>		ORDER appointing WILLIAM C. INGRAM for XAVIER TROUMONE MARTIN. Signed by MAG/JUDGE DONALD P. DIETRICH on 09/18/09. (Garrett, Kim) (Entered: 09/21/2009)
09/18/2009	6	<input type="checkbox"/>		ORDER SCHEDULING ARRAIGNMENT AND DETENTION HEARING as to XAVIER TROUMONE MARTIN. Arraignment and Detention Hearing set for 9/25/2009 02:30 PM in Winston-Salem Courtroom #3 before MAG/JUDGE DONALD P. DIETRICH. Signed by MAG/JUDGE DONALD P. DIETRICH on 09/18/09. (Garrett, Kim) (Entered: 09/21/2009)
09/25/2009		<input type="checkbox"/>		Minute Entry for proceedings held before MAG/JUDGE DONALD P. DIETRICH:ARRAIGNMENT AND DETENTION HEARING as to XAVIER TROUMONE MARTIN (1) Count 1 held on 9/25/2009. AFPD Eric Placke appeared with defendant for AFPD William Ingram. Defendant(s) pleads NOT GUILTY to all charges.

11. If the appendix will contain transcripts, check the Release of Transcript Restriction contained in the Notice of Filing of Official Transcript entry. You will be required to list this release date information when you file your documents in the Fourth Circuit.

12. After selecting the documents, scroll to the end of the docket sheet.

13. Before viewing or downloading the documents, make sure that the footer format is set to <pagenum>. The program will automatically paginate the combined document. The appendix pages must be numbered, if you do not use the automatic numbering feature, the pages will have to be numbered manually or you will have to use other document preparation software.

14. Make sure **Include full docket sheet** and **Include documents in Appendix** are selected.


15. Select **View Selected** to preview the complied documents.

---

Footer format:   
(Numbers, letters, spaces, and <pagenum> only)

☒ Include full docket sheet    ☒ Include documents in Appendix  
☐ Include abridged docket sheet    ☐ Include document hyperlinks in Appendix

16. If any documents selected are restricted or sealed, a **Warning** message will appear. Click back to remove these documents from the appendix. Restricted and Sealed documents must be filed in a separate sealed volume.



Civil ▾   Criminal ▾   Query   Reports ▾   Utilities ▾   Search   Logout

**Warning!**  
The document you are about to view is SEALED; do not allow it to be seen by unauthorized persons.

17. As CM/ECF compiles the documents that you have selected, a processing message will appear asking you to wait until processing is complete.


18. After the complied appendix has been loaded, you should review the documents to ensure that all the documents you need have been selected.

19. Save your appendix to your computer via the Save button naming the file appropriately and saved to a location where you can easily find it when filing the electronic appendix in appellate CM/ECF.

Note: The electronic appendix must include a cover page and a table of contents. The cover page and the table of contents may be uploaded as separate files or combined with the body of the appendix.



---



Civil ▾

Criminal ▾

Query

Reports ▾

Utilities ▾

Search

Logout

Docket Sheet

Case number

12-123

Find This Case

☒ Filed
 
 to

☐ Entered
 
 to

Documents

 to

Include:

☒ Parties and counsel
 ☒ Terminated parties
 ☒ List of member cases
 ☒ Restricted entries
 ☒ Links to Notices of Electronic Filing

Document options:

☒ Include headers when displaying PDF documents
 ☐ View multiple documents
 ☐ Create Record on Appeal
 ☐ Create Appendix

Abridged docket report:

☐ Create abridged docket report

Format:

☒ HTML (unpaginated)
 ☐ PDF (paginated)

Sort by

Oldest date first ▾

Run Report

Clear

☐ Make these options my default
 Schedule this to run

### c) Filing an electronic appendix in Appellate CM/ECF

#### 1. Login to Appellate CM/ECF.

Here is a link to the Fourth Circuit's site which uses your appellate login to enter their site.

<http://www.ca4.uscourts.gov/>

- **CM/ECF Login to file documents** (suggested browsers are IE8 and Firefox 3.6.17 or higher)
  - [Login for Windows PC](#)
  - [Login for Apple Macintosh Snow Leopard or later users](#)
  - [Login for Apple Macintosh Leopard or earlier users](#)

2. After you click on the appropriate link for your type of computer, you will come to this screen to login to the Appellate CM/ECF.

3. After signing on, you will see the links that you can use to actually file your document.



4. The link to the U. S. Court of Appeals CM/ECF User's Manual is as follows for further information:

<http://www.ca4.uscourts.gov/caseinformationefiling>

## Filing Documents Under Seal

The filing of documents under seal requires authorization by statute, rule or court order. Pursuant to section G(6) of the Electronic Case Filing Administrative Policies and Procedures Manual, registered CM/ECF users shall electronically file sealed documents using CM/ECF unless the entire case is under seal.

Local Rule 5.4 addresses the procedures for filing sealed documents. If authorization for filing sealed documents has been permitted by statute, rule or order, the document should be filed using the appropriate sealed CM/ECF docketing event with the face of the document specifically noting the statute, rule or order providing for sealing. If authorization is being sought from the court, the filer should seek permission by filing a motion to seal the document. The following steps show the general steps to be followed for filing a motion to seal a document.

## Filing a Motion to Seal Document-Generally

### Step 1: File Redacted/Public Versions of all Documents:

1. Redact the confidential portion of the documents and mark the word "Redacted" on the face of the document. Pages with a limited number of redactions shall be marked at the top of each page with "Redacted Page" in the header of that page. If confidentiality is claimed for an entire document, substitute a place holder sheet for each such attachment with the heading Confidential Exhibit and a description of what has been redacted (e.g. Customer List A to be filed under seal.)
2. File the redacted document(s) on CM/ECF using the appropriate public event. The text entry must identify any redacted attachments in parenthesis.

In the example below, the documents with confidential information in the brief and two of the four attachments have been redacted and filed in CM/ECF with the brief docketing event. The filer should edit the text to add the word “Redacted” as there is not a separate event for a Redacted Brief in CM/ECF. Since the Attachments #1 and #2 have redacted portions, annotate those attachments as shown in the entry below to show the information that has been redacted.

02/17/2014	<a href="#">view 51</a>	REDACTED BRIEF IN SUPPORT OF <a href="#">50</a> MOTION for Summary Judgment filed by ELIZABETH SMITH (Attachments: # <a href="#">1</a> Jim Smith Deposition (redacted), # <a href="#">2</a> Jim Smith Lab Report (redacted), # <a href="#">3</a> Affidavit of expert Mary Smith, # <a href="#">4</a> Letter from Jim Smith to Ellen Jones) (ATTORNEY, ROBERT) (Entered: 02/17/2014)
------------	-------------------------	---

## Step 2: File a Motion to Seal a Document

1. The filer should file a **Motion to Seal a Document**, which is a public event. Your motion should include a non-confidential description of what is to be sealed identifying the documents or portion of documents that you are requesting authorization to seal.
2. Go to the **Motions, Available Events** and select **Seal Document**: (see Section 7. Filing Documents for Civil Cases above for more detailed instructions).

**Motions**

Start typing to find another event.

Available Events (click to select events)	Selected Events (click to remove events)
Seal Document	Seal Document
Security of Costs	
Service by Publication	
Set Aside	
Set Aside Default	
Set Aside Forfeiture	
Set Aside Judgment	
Settlement	
Sever	
Shorten Time	
Show Cause	
Speedy Trial	
Status Conference	
Stay	
Strike	

Next Clear

3. Select the filing party; pdf documents and any attachments, including

affidavits, if required; review the response deadline; and modify the docket text via the screen below.

#### Motions

[1:09-at-01000 Plaintiff1 V Defendant1](#)

Docket Text: Modify as Appropriate.

MOTION to Seal Document  by Plaintiff 1 For Testing. Responses due by 4/25/2014 (JPC, )

Next

Clear

### Step 3: File a Sealed Brief

File a sealed brief and an affidavit, if necessary, on CM/ECF. If the filer has a confidentiality interest in the document, the filer should submit the brief. If another party has a confidentiality interest in the documents, the party having the interest in the confidentiality of the document should file the brief within the 14 days of the filing of the **Motion to Seal a Document**.

#### Other Documents

**Available Events** (click to select an event)

SEALED Brief  
SEALED Document  
SEALED Exhibits  
SEALED Financial Affidavit  
SEALED Unredacted Documents (LR 5.4)  
Satisfaction of Fine  
Satisfaction of Judgment  
Schedule of Assets  
Settlement Agreement  
Statement  
Status Memorandum  
Status Report  
Stipulation  
Stipulation for Compromise Settlement  
Stipulation of Dismissal

Next

Clear

**Selected Event**

SEALED Brief

---

## Step 4: File All Unredacted Documents

1. The filer should file all unredacted documents using the CM/ECF event **Sealed Unredacted Documents**. This is a sealed event to which you may attach sealed documents. Do not attempt to docket sealed documents as attachments to unsealed events.

### Other Documents

#### Available Events (click to select an event)

SEALED Unredacted Documents (LR 5.4)  
Satisfaction of Fine  
Satisfaction of Judgment  
Schedule of Assets  
Settlement Agreement  
Statement  
Status Memorandum  
Status Report  
Stipulation  
Stipulation for Compromise Settlement  
Stipulation of Dismissal  
Suggestion of Bankruptcy  
Suggestion of Death  
Suggestion of Subsequently Decided Authority  
Supplement

Next

Clear

#### Selected Event

SEALED Unredacted Documents (LR 5.4)

2. The completed docketing entry for the Sealed Unredacted Documents event is displayed below. Include the document and any attachments and be sure to reference the previously filed redacted versions from Step 1 in the text entry.

02/17/2014	<a href="#">view 54</a>	SEALED UNREDACTED DOCUMENTS - <a href="#">54</a> BRIEF IN SUPPORT OF <a href="#">50</a> MOTION for Summary Judgment (redacted version filed at 51) filed by ELIZABETH SMITH (Attachments: # <a href="#">1</a> Jim Smith Deposition (redacted version filed at 51-1), # <a href="#">2</a> Jim Smith Lab Report (redacted version filed at 51-2) (ATTORNEY, ROBERT) (Entered: 02/17/2014)
------------	-------------------------	---

## Filing a Motion to Seal Document- Another Party has a Confidential Interest and the Parties Have Not Been Able to Confer

The filing sequence changes when a filer is submitting documents in which another party has a confidential interest **and** it was not possible for the filer to timely confer with the party in order to agree on what information to redact, if any, and prepare a redacted version.

---

## Step 1: File All Unredacted Documents Under Seal Using the Sealed Unredacted Documents Event

This is a private event. The completed docketing entry for the Sealed Unredacted Documents event in this scenario is displayed below.

02/17/2014	<a href="#">view 52</a>	SEALED UNREDACTED DOCUMENTS - <a href="#">52</a> BRIEF IN SUPPORT OF <a href="#">50</a> MOTION for Summary Judgment filed by ELIZABETH SMITH (Attachments: # <a href="#">1</a> Jim Smith Deposition, # <a href="#">2</a> Jim Smith Lab Report, # <a href="#">3</a> Affidavit of expert Mary Smith, # <a href="#">4</a> Letter from Jim Smith to Ellen Jones (ATTORNEY, ROBERT) (Entered: 02/17/2014)
------------	-------------------------	--

## Step 2: File a Motion for Extension of Time to Confer and File Redacted Documents

File a motion for extension of time to confer with the party claiming a confidential interest, redact and file the documents.

Go to the **Motions**, select the **Extension of Time to File Document** event and edit the text.

**Motions**

Start typing to find another event.

**Available Events** (click to select events)

Extension of Time to File Document

Extension of Time to File Response/Reply

Extension of Time-Other

File Excess Pages

Findings of Fact and Conclusions of Law

Forfeiture of Property

Garnishment

Hearing

In Limine

Inspect

Intervene

Issuance

Issuance of Warrant in rem

Joinder

Joint Motion

**Selected Events** (click to remove events)

Extension of Time to File Document

Next

Clear



---

### Step 3: File a Motion to Seal a Document

1. Go to **Motions**, select **Motions**, and **Seal Document**.

**Motions**

Start typing to find another event.

**Available Events** (click to select events)

- Seal Document
- Security of Costs
- Service by Publication
- Set Aside
- Set Aside Default
- Set Aside Forfeiture
- Set Aside Judgment
- Settlement
- Sever
- Shorten Time
- Show Cause
- Speedy Trial
- Status Conference
- Stay
- Strike

**Selected Events** (click to remove events)

- Seal Document

Next Clear

2. Select the filing party; pdf documents and any attachments, including affidavits, if required; review the response deadline; and modify the docket text via the screen below.

### Step 4: File Redacted, Public Versions of Documents Previously Filed Under Seal.

After all parties have met and prepared the redacted copies, file all redacted versions of the documents previously filed under seal. In the docket text reference the event number of the attachments previously filed in their unredacted form.

02/27/2014	<a href="#">view 55</a>	REDACTED BRIEF IN SUPPORT OF <a href="#">50</a> MOTION for Summary Judgment (unredacted version filed at 52) filed by ELIZABETH SMITH (Attachments: # <a href="#">1</a> Jim Smith Deposition (unredacted version filed at 52-1), # <a href="#">2</a> Jim Smith Lab Report (unredacted version filed at 52-2), # <a href="#">3</a> Affidavit of expert Mary Smith, # <a href="#">4</a> Letter from Jim Smith to Ellen Jones (ATTORNEY, ROBERT) (Entered: 02/27/2014)
------------	-------------------------	---

---

## Step Five: File Unredacted Copies of the Redacted Documents

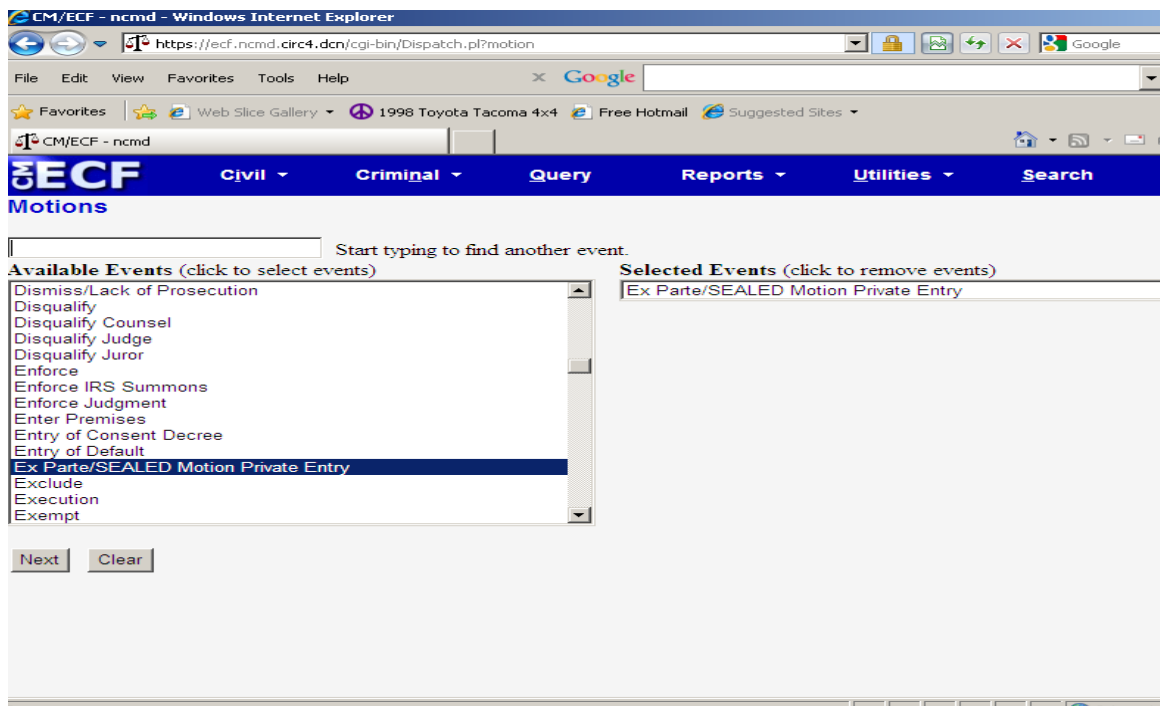
File unredacted copies of the redacted documents, with the redactions highlighted or marked to show what portions of the documents have been redacted, using the **Sealed Unredacted Event**. You may use electronic highlight features in word processing or Adobe Acrobat software or you may simply underline the redacted portions and scan the document to be attached for this marked up version. This will enable the Court to more easily view the redacted material in context of the complete document.

02/17/2014	<a href="#">view 56</a>	SEALED UNREDACTED DOCUMENTS - MARKED- <a href="#">56</a> BRIEF IN SUPPORT OF <a href="#">50</a> MOTION for Summary Judgment filed by ELIZABETH SMITH (Attachments: # <a href="#">1</a> Jim Smith Deposition, # <a href="#">2</a> Jim Smith Lab Report) (ATTORNEY, ROBERT) (Entered: 02/17/2014)
------------	-------------------------	---

## Ex Parte Matters

Ex parte matters may only be filed pursuant to an order of the court. A motion requesting permission to file an ex parte motion under seal shall include the ex parte motion as an attachment. The clerk shall treat the motion to seal and attachment as sealed pending order of the court. (See Local Rule 7.4)

## Under Motions: Available Events: Select the Ex Parte/SEALED Motion Private Entry Document.



Parties can file Ex Parte documents electronically using CM/ECF. Ex Parte documents are private events and do not appear on the public docket. They are viewable only by court users. When Ex Parte documents are filed, NEF's are not generated and no parties, even the filer, have access to view the documents.



---

## Registration of Foreign Judgment

When registering a foreign judgment, you should scan the certified judgment. AO Form 451 and any other documents from the sending court. Also submit one paper copy of the documents. Counsel is responsible for maintaining and producing for inspection by the court or any party the original documents until the latter of the judgment expiring or the conclusion of any appellate proceedings relating to collection efforts in this district. **The filing fee must be received before the judgment can be registered.**

## Certified, Notarized and Documents Authenticated by Other Means

Documents, which are certified, notarized or authenticated by other means, should be scanned and filed electronically if they are less than 45 pages in length. The filer is responsible for maintaining the original and making it available for inspection upon request by the court or another party. The filer shall retain the original document until two (2) years after the expiration of the time for filing a timely appeal of a final judgment or decree, or after receipt by the Clerk of Court an order terminating the action on appeal. If the document is 45 pages or longer, you should file the original in subparts following the procedures for filing a lengthy exhibit.

## Orders

- 1) **Entry** - Electronic filing by the court or court personnel of any orders, decrees, judgments or proceedings of the court shall constitute entry on the docket as well as notice to and service on registered users in the case, under the Federal Rules of Civil Procedures.
- 2) **Signatures** - Any order filed electronically without the original signature of a judge has the same force and effect as if the judge had affixed his or her signature to a paper copy of the order and it had been entered on the docket in a conventional manner.
- 3) **Electronic Text (Paperless) Orders** - At his or her discretion, a judge may rule upon a motion by having a text only entry made on the docket. There will be no PDF document attached to the entry. The system will however, generate a notice of the entry. Such entries shall have the same force and effect as any other type of order. You will receive electronic notice of the filing of the order however; the notice will not have a link to a document.

---

## Troubleshooting

### 1) Cannot View Document Using Link in E-mail Notification

#### a) System Prompts to Enter PACER Login and Password

Each e-mail notification that a document has been filed electronically contains a link to the document which you may use one time to view, download and/or print the document without charge. If when you click on that link you are prompted to enter your login and password it means that according to the system you have already had your one time “free look”. Certain things will make the system act as if you have accessed the document when in fact, you have not. To avoid this problem, do **not** forward an e-mail notification to another e-mail address, and do **not** open the e-mail and close it without using the link to view, download or print the document. To help ensure that you do not accidentally miss your free look (expires 15 days after filing), it is suggested that you add a second e-mail address to your account. Each address will have the opportunity for one free look at the document. See **Your Account** under **Utilities** for instructions on adding additional e-mail addresses.

#### b) The Link to the Document Does Not Work

Frequently you will receive e-mail notification of docket activity, but will be unable to link to a document. The most common reason for this is that there is **no** electronic document. Many docket entries are made by the Court without either a paper or electronic document. Such entries include ones related to court proceedings, entries made to update case or party information, and marginal or paperless orders by a judge. Also, because the e-mail notification is linked to the case management software, e-mail notifications are sent in cases that are exempt from electronic filing. There is no link to the document because it was filed in paper format.

### 2) System Will Not Allow You to Attach a Document

Occasionally you will try to attach a document, but when you click on **Next**, you will receive the message: ERROR: Document is not a well-formed PDF document. This means the system is not recognizing your document as a PDF. First, check to make sure that you did not accidentally attach a document in another format. Second, try going back to your word processing version of the document, convert it again, save with a new name and attempt to file it. If this doesn't work, the problem is most likely with your software and you will need to contact your technical support or the software company. If you cannot resolve the problem before a filing deadline, you may want to print the document from your word processing program and scan it.

---

## Help Desk

The Clerk's Office shall deem the Court's CM/ECF site to be subject to a technical failure on a given day if the site is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 10:00 a.m. Eastern Time that day. Known systems outages will be posted on the Court's web page, if possible. The initial point of contact for any practitioner experiencing difficulty filing a document electronically should be the ECF Help Desk. The telephone numbers are: **Toll Free Help Desk at 1-800-659-2212 or the Clerk's office at 336-332-6000.**

See Electronic Case Filing Administrative Policies and Procedures Manual, Section P, for further details.